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IN THE
COURT OF APPEAL.

Appeal from the Chancery Division of the High Court of Justice.

BETWEEN
JOHN T. DORLAND and others,
PLAINTIFFS. (*Appellants.*)

AND

GILBERT JONES, and others, DEFENDANTS, (*Respondents.*)

APPEAL BOOK.

VOL. I.

CLUTE & WILLIAMS,
SOLICITORS FOR APPELLANTS.

ALLISON & ALCORN,
SOLICITORS FOR RESPONDENTS.

BELLEVILLE:

PRINTED AT THE ONTARIO STEAM PRINTING ESTABLISHMENT.

1884.

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INDIA TO VOL. I

THE

COURT OF APPEAL

Appeal from the Circuitry Division of the High Court of Justice

JOHN A. BROWN AND OTHERS

AND

APPEAL BOOK

VOL. I

JOHN A. BROWN AND OTHERS

APPEAL FROM THE CIRCUITRY DIVISION OF THE HIGH COURT OF JUSTICE

ALLISON & ALGERIA

APPEAL FROM THE CIRCUITRY DIVISION OF THE HIGH COURT OF JUSTICE

THE

APPEAL FROM THE CIRCUITRY DIVISION OF THE HIGH COURT OF JUSTICE

1894

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the Court of Justice

W. E. DONALD, STEPHEN W.
CORY

IN THE COURT OF APPEAL.

BETWEEN

JOHN T. DORLAND, STEPHEN W. WHITE, ANTHONY T. HAIGHT AND ANTHONY
HAIGHT, CORY B. CRONK, AND BENNETT BOWERMAN.

PLAINTIFFS, (*Appellants.*)

AND

GILAERT JONES, WILLIAM VALENTINE, JOHN GARRATT, ADAM HENRY GARRATT,
JOHN STANLEY WHITE, WALTER S. VARNEY, LEVI V. BOWERMAN, WILLIAM
BRANSCOMBE, WILLARD GARRATT, LEVI VARNEY, WALTER LEAVENS,
NATHANIEL SWEETMAN, S. M. OUTWATERS, RALPH P. JONES
AND AMOS BOWERMAN.

10

DEFENDANTS (*Respondents.*)

This is an appeal from the judgment of Mr. Justice Proudfoot, pronounced on this cause on the 9th day of January, 1884, whereby the action brought in the Chancery Division of the High Court of Justice, by the Plaintiffs against the Defendants was dismissed with costs.

The action was tried at the sittings for trial of causes in the Chancery Division at Belleville, on the 2nd. of October, 1883, and four following days.

STATEMENT OF CASE FOR APPEAL.

IN THE HIGH COURT OF JUSTICE,

CHANCERY DIVISION,

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BETWEEN,

JOHN T. DORLAND, STEPHEN W. WHITE, ANTHONY T. HAIGHT, AND ANTHONY
HAIGHT, CORY B. CRONK, AND BENNETT BOWERMAN.

PLAINTIFFS,

AND

GILBERT JONES, WILLIAM VALENTINE, JOHN GARRATT, ADAM HENRY GARRATT,
JOHN STANLEY WHITE, WALTER S. VARNEY, LEVI V. BOWERMAN, WILLIAM
BRANSCOMBE, WILLARD GARRATT, LEVI VARNEY, WALTER LEAVENS,
NATHANIEL SWEETMAN, A. M. OUTWATERS, RALPH P. JONES
AND AMOS BOWERMAN.

DEFENDANTS. 30

The pleadings in the case are as follows :—

STATEMENT OF CLAIM.

1.—Quakers are a society of Christians recognized by the law of this Province and were until 1867, united with and sent yearly delegates to the New York Yearly Meetings of Friends, when they were set apart by the parent body and established as a distinct society, called and known as the "Canada Yearly Meeting of Friends."

2.—The said West Lake Monthly Meeting of Friends is a subordinate society and is recognized by it, and consists of about 100 members, the greater number of whom reside in the County of Prince Edward.

3.—By deed dated 14th May, 1821, and registered 18th February, 1829, Jonathan Bowerman and John Bull in consideration of \$60 granted bargains and sold to Jonathan Clark, Daniel Haight and Gilbert Dorland, Trustees of said West Lake Monthly Meeting of Friends to secure the title of Meeting House, Lots and Burying Ground, and their successors in trust for said monthly meeting, all than certain parcel or tract of land situate lying and being in the Township of Hallowell, in the County of Prince Edward and Province of Ontario, containing six acres more or less, composed of a part of lots numbers nine and ten in the second concession. Military tract which said land is butted and bounded or may be otherwise known as follows, that is to say : Commencing at a post marked "A," North of Meeting House and on the line between the aforesaid lots 9 and 10, thus running north 70 degrees west 8 rods, then south 20 degrees west 60 rods more or less to the waters edge of a creek south of said Meeting House, then in an easterly course along the creek 16 rods, then north 20 degrees east 60 rods more or less, then north 70 degrees west 8 rods to the place of beginning, to have and to hold said lands to said trustees of said Monthly Meeting for the time being and to their successors in trust as said meeting shall from time to time so cause to appoint for the only use and benefit, and paid monthly meeting with the tenements and improvements, privileges and appurtenances thereto, belonging or in anywise appertaining.

4.—Said Jonathan Powerman and John Bull lived more than twelve months after the execution of said deed, but are now long since dead.

5.—Said West Lake Monthly Meeting have from time to time as it saw cause according to the terms of said deed, and the usage and practice of said society, appointed trustees to said trust, and on the 21st day of October, 1880, at its regular monthly meeting, duly appointed the Plaintiffs John T. Dorland, Anthony Haight, Stephen W. White and Anthony T. Haight, Trustees of said trust.

5 (a).—On the 30th day of April, 1883, the Plaintiffs John T. Dorland, Stephen W. White, Anthony T. Haight and Anthony Haight, Cory B. Cronk and Bennett Bowerman were duly appointed Trustees of said trust property pursuant to the Revised Statutes of Ontario Chapter 216, and all of whom are members of the West Lake Monthly Meeting of Friends.

6.—Since the purchase of said lands and premises, said West Lake Monthly Meeting of Friends have erected and maintained a meeting house, sheds and other improvements thereon, for the use and convenience of said society, and have remained in the sole use and enjoyment of the same for the purpose mentioned in said trust until the committing of the grievances herein-after set forth.

7.—The Defendants except Walter S. Varney, Walter Leavens, Nathaniel Sweetman, A. M. Outwaters and Ralph Jones formerly belonged to said West Lake Monthly Meeting of Friends, nor by said Canada Yearly Meeting of Friends, nor by said New York Yearly Meeting of Friends, the Defendants now claim the use and enjoyment of said trust property and the right to hold meetings therein, at other and different days and hours than those appointed and regulated by said West Lake Monthly Meeting of Friends, and endorsed by said Canada Yearly Meeting of Friends to the great annoyance, discomfort and injury of the Plaintiffs.

8.—On Sunday the 24th day of December, 1882, the Defendants forcibly broke open and entered said premises and meeting house and remained therein for a long time, and on the 27th day of December, 1882, the Defendants with great force and violence again broke and entered said premises and broke open the door thereof with an axe and pried open the windows with a crow-bar, and severely assaulted and beat the persons appointed by the Plaintiffs to take charge of the same, and broke and carried away 80 the bolts and fastenings of the doors, and otherwise injured and damaged the said meeting house and attempted to drive and force said persons in charge thereof out of the building and created a great noise and disturbance therein.

9.—The Plaintiffs through their said agents and caretakers requested said Defendants to desist and depart, but they refused to do so, and for a long time remained therein to the great injury of the Plaintiffs.

10.—On Sunday the 31st day of December, 1882, the Defendants again attacked the said meeting house and with great violence again broke open the same and remained therein for a long time.

11.—The Defendants threaten to repeat and continue the grievances herein before set forth and will do so unless restrained by this Honorable Court. 90

12.—The Plaintiffs are still in possession of said premises.

13.—The Defendants contend that the Plaintiffs have not been legally appointed trustees under said trust deed, and they have assumed to appoint the Defendants John Garratt, Levi V. Bowerman and Amos Bowerman to be trustees under the said trust deed and the said Defendants John Garratt, Levi V. Bowerman and Amos Bowerman now claim to be the duly appointed trustees of the said property.

14.—The Plaintiffs sue on behalf of all the members of the West Lake Monthly Meeting of Friends who are too numerous to be made parties to this action.

THE PLAINTIFFS CLAIM IS :

(1.) That it may be declared that the said Trustees hold the land in question in trust for the sole and exclusive use of West Lake Monthly Meeting of Friends and to have the title thereto confirmed either 100 in their name as such trustees, or in the name of the West Lake Monthly Meeting of Friends, or other trustees to be duly appointed pursuant to said trust.

(2.) That the Defendants, their servants and agents may be restrained by the order and injunction of this Honorable Court, from disturbing the Plaintiffs, as such trustees and those on whose behalf they sue in the sole use and enjoyment of said trust property and from molesting, injuring and destroying the same.

(3.) Damages by way of compensation for injury done to said property.

(4.) The costs of this suit.

(5.) Such farther or other relief as may be necessary.

The Plaintiffs propose that this action be tried at Belleville.

Delivered this 3rd day of January 1883,, by Messrs. Clute & Williams, of the City of Belleville, in the County of Hastings, Solicitors for the Plaintiff's.

STATEMENT OF DEFENCE AND COUNTER CLAIM.

1.—Except as hereinafter excepted, the Defendants admit the truth of the allegations contained in the 1st, 2nd, 3rd and 4th paragraphs of the Plaintiffs Statement of Claim.

2.—The West Lake Monthly Meeting of Friends at the time of the execution and registration of the deed referred to in the 3rd paragraph of the said Statement of Claim was a united body of persons who were members of the Society of Friends, and who belonged and held the doctrines, and observed and submitted themselves to the usages and practices and ordinances, then and now common to the Society of Friends.

3.—Within the last few years in the various preparatory monthly, quarterly and yearly meetings 120 throughout the world dissensions and disturbances have arisen in consequence of certain persons, formerly in accord with their then fellow members of the Society of Friends, preaching and teaching doctrine and articles of religious belief, and usages, ordinances and practices opposed and repugnant to those immemorably believed and observed by the said society, and advising and carrying into practice a discontinuance and neglect of many ancient and venerable usages, observances and ordinances, which had been the usual and universal manner of Friends from the inception of their society.

4.—In the case of the Canada Yearly Meeting of Friends and Yearly Meetings of Kansas and Iowa, and the Western Yearly Meeting, and the Subordinate Meetings, composing the same respectively and in the West Lake Monthly Meeting of Friends, these dissensions and departures from Friends religious doctrines and Church usages have resulted in an actual secession and departure, by those persons possessing 130 such new religious doctrines and church ordinances, and advocating the discontinuance and neglect of such ancient usages from the ancient and true Society of Friends, as they existed in their various meetings before the said dissensions arose.

5.—The Plaintiffs formerly were members of the West Lake Monthly Meeting of Friends, but they and other persons also formerly such members, seeking to introduce into the said monthly meeting the innovations aforesaid, in doctrine and practice and these being opposed by the Defendants and many other members of the said monthly meeting seceded and separated themselves from, and ceased to meet with the said Monthly Meeting and assumed to constitute themselves a Monthly Meeting calling themselves by the name of and declaring themselves to be the West Lake Monthly Meeting of Friends, but the Defendants say that the Plaintiffs and those associating with them as aforesaid are not Friends and are not the West Lake 140 Monthly Meeting of Friends but the Defendants and those members of the West Lake Monthly Meeting of Friends adhering to the ancient doctrines and usages of the Society of Friends, as believed and observed prior to such separation are the true and only West Lake Monthly Meeting of Friends.

6.—The Plaintiffs assume to be in union with various other and foreign meetings of Friends but the Defendants shew and say that the Meetings with which the Plaintiffs claim to be in union are Meetings in dissension and discord among themselves and in which although an actual bodily secession and separation has not taken place, the party variously denominated "New Lights," "Fast Quakers," or "Progressors," (of whom are the Plaintiffs and their following) have acquired ascendance and the Defendants and their

adherents do not maintain union with such disrupted Meetings but are in union with Meetings who like themselves continue to maintain the ancient and long established doctrines of faith and church observances 150 ordinances and usages of the Society of Friends.

7.—The grantees named in the said deed of the 14th day of May, 1821, were not nor are the Plaintiffs a corporate body, nor are the Plaintiffs in regular succession to such grantees in the office of trustee as alleged in the said statement of claim, nor were they or any of them appointed to that office by the West Lake Monthly Meeting of Friends, nor are they or any of them or any of the persons whom they represent Friends either individually or their party as a Meeting of Friends, either by the West Lake Monthly Meeting of Friends or the Canada Yearly Meeting of Friends, or by any Meeting adhering to the original and true faith and usages of and who are in fact of the Society of Friends.

9.—The meeting-house and other improvements upon the lands in question were erected and maintained by the West Lake Monthly Meeting of Friends as it existed prior to the secession of the Plaintiffs 160 and their following therefrom, and the Defendants and their adherents are in direct succession to and truly represent and are the same body as the West Lake Monthly Meeting of Friends, as it existed at time of the execution and registering of the said deed. The body of persons maintaining the ancient and accepted doctrines and usages of the church called the Society of Friends constitute that church and the Defendants and their adherents are those persons and are therefore entitled under the said deed to the use and benefit of the said lands and the meeting-house and other belongings and improvements thereon to the exclusion of the Plaintiffs and those in accord with them who have departed from Friends faith and observances.

10.—The Defendants deny that they ever seceded from the West Lake Monthly Meeting of Friends, and that they ever established a distinct society not recognized by the West Lake Monthly Meeting of Friends, or by the Canada Yearly Meeting of Friends, or by the New York Yearly Meeting of Friends, but 170 the Defendants say and charge that the Plaintiffs have so seceded and established a distinct society, not so recognized, as the Defendants say it is not competent for a body of church members to abandon the faith and usages of the church and still assume to be the church, and by assuming the distinctive name of the church to be entitled to its property.

11.—In answer to the 8th, 9th, 10th and 11th paragraphs of the Plaintiffs Statement of Claim the Defendants say that the Plaintiffs on the respective occasions therein referred to by themselves and their agents (in the said statement of claim called caretakers) wrongfully locked, fastened up and barricaded said meeting-house and premises and refused to admit the Defendants thereto and attempted by force 180 and arms to hold exclusive possession thereof and to exclude the Defendants therefrom, and very grievously assaulted and beat the Defendants and did their best endeavors to prevent and disturb the Defendants in their right of public worship in the said meeting-house and the Defendants entered the said meeting-house and held their meetings using no more force than was necessary.

THE DEFENDANTS COUNTER CLAIM IS :

1.—That it may be declared that the hereinbefore named surviving persons or such others still living

appointed to the office of trustees under the said deed next before the assumed appointment of Plaintiffs hold the land in question in trust for the sole and exclusive use of the West Lake Monthly Meeting of Friends as represented by the Defendants as aforesaid, and to leave the title thereto confirmed either in the names of such persons as such trustees or in the name of the said West Lake Monthly Meeting of Friends as 190 distinguished from the Plaintiffs assumed meeting of that or other trustees to be duly appointed.

2.—The Plaintiffs are the said assumed West Lake Monthly Meeting of Friends herein represented by the Plaintiffs their and such of their servants and agents may be restrained by the order and injunction of this Honorable Court from disturbing the Defendants or the said trustees, whose title the Defendants seek to establish, in the sole use and enjoyment of said trust property, and from molesting, injuring or destroying the same.

3.—Damages by way of compensation for the injury done to said property.

4.—The Defendants costs of this suit.

5.—Such further and other relief as may seem just.

Delivered this 13th Day of January, 1883, by Messrs. Allison & Alcorn, of the Town of Picton, in the 200 County of Prince Edward, Solicitors for the Defendants.

STATEMENT OF DEFENCE OF DEFENDANT, AMOS G. BOWERMAN.

(Added a party by amendment) to the statement and amendment statement of claim of the Plaintiffs.

1.—The Defendant Amos G. Bowerman, claims the benefit of the Statement and amended Statement of defence of his co-Defendants to the Statement and amended Statement of Claim of the Plaintiffs in this action,

Delivered this 24th day of July, 1883, by Messrs. Allison & Alcorn, of Picton, in the County of Prince Edward, Solicitors for the Defendant Amos G. Bowerman.

FURTHER STATEMENT OF DEFENCE OF THE DEFENDANTS TO THE ORIGINAL WRIT IN ANSWER TO AMENDED STATEMENT OF CLAIM.

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1.—The Defendants deny that the Plaintiffs are trustees as alleged.

2.—The Defendants deny the Plaintiffs title to the lands and premises in question, and every part thereof, and they also deny the right and title of the Plaintiffs to the possession or to the control in any way of the lands and premises and the meeting house in question, and they deny that the Plaintiffs represent the West Lake Monthly Meeting of Friends.

3.—The Defendants deny that the Plaintiffs and those taking part with them are the West Lake Monthly Meeting of Friends.

4.—Prior to 1867 the West Lake Monthly Meeting of Friends was a subordinate meeting of the New York Yearly Meeting of Friends, which last mentioned Yearly Meeting, and its subordinate Meetings was constituted under and governed in all respects by the New York discipline of 1859, or about the year 1867 220 the Friends in Canada duly and in accordance with the provisions of the said discipline and with the con-

currence of the New York Yearly Meeting of Friends, became the Canada Yearly Meeting of Friends under the said New York discipline of 1859 which was adopted by the said Canada Yearly Meeting. Immediately upon the constitution of the same and thenceforth was and continued to be and is now the constitution and laws of the Society of Friends in Canada and the West Lake Monthly Meeting of Friends upon the constitution of the said Canada Yearly Meeting became and still is a subordinate meeting thereof and has always adhered and still adheres to the said New York discipline of 1859, of which last mentioned monthly meeting the Defendants are members, but the Plaintiffs and their adherents refused to adhere to the said New York discipline of 1859, and in and about the year 1880, they asserted and endeavored to impose on the Society of Friends in Canada and upon the West Lake Monthly Meeting of Friends, a certain other discipline in many respects differing from and inconsistent with the said New York discipline of 1859, and they pretended and all alleged and still pretend and allege that the same was adopted by the Society of Friends at the Canada Yearly Meeting of 1880, which the Defendants say is untrue and they acting upon the said new discipline and acting contrary to the said New York discipline of 1859, have held separate meetings from the Defendants and the adherents to the said New York Discipline of 1859, and have from time to time introduced practices and doctrines at such meetings at variance with the said old discipline and with the well known and established belief and practice of the Society of Friends, and they continue to do so and the Plaintiffs are separatists and not entitled to the property of the said West Lake Monthly Meeting or control of the same in any way. 230

5.—The Defendants and those taking part with them from and are the West Lake Monthly Meeting of Friends and are entitled to the possession and control of the lands, premises, and meeting-house in question, and are solely entitled to elect new trustees of the trust premises in question when necessary, and to declare the mode of such election from time to time. 240

6.—The Defendants incorporate their former Statement of Defence as now amended with this Statement of Defence as their defence to this action.

Delivered this 24th day of July 1883, by Messrs. Allison & Alcorn, of the Town of Picton, in the County of Prince Edward, Defendants Solicitors.

REPLY.

The Plaintiffs join issue upon the Defendants Statement of Defence, and as to the Defendant's counter claim say :—

250

1.—The Society of orthodox Friends is one body of Christians composed of Yearly Meetings, with their Subordinate branches in England, Ireland, the United States and Canada. The bond of Union is efficiently maintained by annual correspondence between them and by issuing and receiving the credentials of travelling ministers, by granting and receiving certificates of membership in cases of removal to which all are entitled throughout the Society, and by joint participation in religious and benevolent enterprises. Each Yearly Meeting is independent in the transaction of its business and in making and executing its disciplinary regulations.

2.—At the time of the execution of the deed referred to in the 3rd paragraph of the Statement of

Claim the West Lake Monthly Meeting of Friends was a branch society of Friends, subordinate and under the discipline of the New York Yearly Meeting of Friends and so continued until the Canada Yearly Meeting was established as next hereafter mentioned.

3.—In 1867 the New York Yearly Meeting set off and established the Canada Yearly Meeting of which the West Lake Monthly Meeting is a branch and to which it is subordinate.

4.—The said Canada Yearly Meeting since its establishment has been and still is in official union with the said New York Yearly Meeting and also with the Yearly Meetings of London, Dublin, New England, Baltimore, Ohio, North Carolina, Indiana, Western Iowa, and Kansas, which are all the Yearly Meetings of orthodox Friends in England, Ireland, United States and Canada.

5.—In 1867 the Canada Yearly Meeting adopted the discipline of the New York Yearly Meeting. In 1877 the discipline of the New York Yearly Meeting was revised, and in 1880 the Canada Yearly Meeting adopted the same as so revised, and the same was approved and adopted by the West Lake Monthly Meeting and by the other subordinate branches of the Canada Yearly Meeting, and is the recognized discipline of the orthodox Friends in Canada.

6.—The Defendants (except as excepted in the 7th paragraph of Statement of Claim) were members of the West Lake Monthly Meeting of Friends, and continued in unity therewith until about the month of February 1881, when they and other persons also formerly members seceded and separated themselves from and ceased to meet with the said Monthly Meeting and assumed to constitute themselves a Monthly Meeting but the Plaintiffs shew as the fact is that the Plaintiffs and those whom they represent are the true and only West Lake Monthly Meeting of Friends, and are recognized by the Canada Yearly Meetings and by the various Yearly Meeting throughout England, Ireland and America, but the Defendants are not in union with nor are they recognized by any of the said Yearly Meetings nor are they of the Society of Friends.

7.—The Plaintiffs were appointed trustees to said trust on the 21st day of October, 1880 by the West Lake Monthly Meeting of Friends before the Defendants seceded and are in regular succession to such grantees named in the deed of the 14th of May 1821, and hold the same in trust for the West Lake Monthly Meeting of Friends and claim the benefit of the various Statutes of this Province relating to Religious Societies.

8.—The Plaintiffs as such trustees and on behalf of the West Lake Monthly Meeting of Friends claim the said premises by length of possession in themselves and those through whom they claim and in the said West Lake Monthly Meeting of Friends.

9.—At the time Defendants seceded there was a large debt against said premises which the Plaintiffs and those whom they represent have since paid off.

10.—The Defendants have contributed nothing towards the repairs of said buildings since they seceded.

Delivered the 7th day of February, 1883, by Messrs. Clute & Williams, of the City of Belleville, in the County of Hastings, Solicitors for the Plaintiffs.

THE FOLLOWING IS THE EVIDENCE TAKEN AT THE TRIAL OF THE CAUSE AT BELLEVILLE, BEFORE THE HON. MR. JUSTICE PROUDFOOT, SECOND OCTOBER, 1883.

—O—

Counsel for Plaintiffs, Messrs. J. Bethune, Q. C., and Clute & Williams.

Counsel for Defendants, Messrs. J. McClennan, Q. C., and Arnoldi & Alcorn.

300

Mr. Bethune puts in first, Deed dated 14th day of 5th month, 1821, Between Jonathan Bowerman and John Bull and others, reading the material parts, marked exhibit "A", also deed dated 14th day of 12th month, December, 1835, being confirmation of former deed, marked exhibit "B" also book of discipline adopted 1810 printed in New York in 1826, marked as exhibit "C." ; also book of discipline in force at the time of the alleged separation marked as exhibit "D."

MR. McLENNAN—I do not object to the putting in of the discipline, but I do object to the putting in of the discipline with comment—Mr. Bethune having read the title page of "D." ; also minutes of Yearly Meeting of Friends in 1865 in New York marked as exhibit "E" ; Mr. Bethune reading pages 12 & 13 ; also minutes of 1867 Canada Yearly Meeting of Friends held at Pickering in pursuance of that marked as exhibit "F", Mr. Bethune reading pages 3 & 4 & 17 and 16—paragraph 37 ; also copies of the minutes of 310 meetings from 1868 to 1883 inclusive, marked as exhibits "G" and "V" ; "G" to "V" inclusive.

MR. MACLENNAN.I object to the minutes of 1880, 1881, 1882 and 1883, as minutes that we don't recognise as the true minutes of Yearly Meeting, and also under chapter 216 of the Revised Statutes, Sec. 11, a certain copy certified by the registrar, of a record to show the mode of appointing of providing the appointment of successors to trustees, marked exhibit "W".

Mr. MacLennan objects to these as inadmissible, being "W" and "X" the appointment of trustees certified by registrar, the objection by Mr. MacLennan being because the proceedings on the face of them, appear to be since the institution of the suit.

ROBERT H. SAYLOR sworn for Plaintiffs; testified as follows by Mr Clute,

Q.—Where do you reside ? A.—In the Village of Bloomfield.

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Q.—And how long have you resided there ? A.—Just in the village only about some 4 years, but I have always lived in what we call Bloomfield, within a mile of Bloomfield.

Q.—You are a member I believe of the West Lake Monthly Meeting of Friends ? A.—Yes,

Q.—How long have you been a member ? A.—About 25 years or a little upwards.

Q.—Were you a member in December ? What position did you occupy in regard to the meeting at that time ? A.—Last December?

Q.—Yes, did you hold any office at that time in respect to the meeting ? A.—I was appointed by

the monthly meeting as caretaker of the meeting house, by the monthly meeting.

Q.—This I think is the minute book of the Monthly Meeting is it not “Y” by which you were appointed ? A.—Witness here turns up the minute dated 21st Aug. ’82.

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Q.—The Robert H. Saylor referred to there is you ? A.—Yes.

THE COURT—You were not the sole caretaker ? A.—No ; I was appointed as one of the caretakers ; there were two others.

Q.—What did you do in consequence of that appointment ? A.—Myself and Abram B. Saylor, John H. Cronk, we took charge of the house ; we took the keys and locked it, and at the regular meeting days and hours we opened it ; that is, at 10 o’clock we opened the house, at 10 o’clock on the 5th day, and also at 10 o’clock on the Sabbath, the first day as we call it ; Thursdays and Sundays you may call it.

Q.—Did you meet with any interference from any parties, and if so when ?

MR. BETHUNE—So far as that is concerned I understand there need be no dispute between us ; we are come here to try a question of trespass or damage, and if so, that is our prima facie case.

340

COURT—You had better go on.

Mr. CLUTE continues—

Q.—What occurred there then ? A.—After the house was closed—

Q.—When was the first disturbance ? A.—It was on the 24th December I believe, on the Sabbath ; after our meeting was closed we locked the house, and Gilbert Jones, and William Valentine and the Defendants there that are named, I can name them if you wish—Gilbert Jones, William Valentine, John Stanley White, Walter Varney Walter Leavens, and Willard Garrot, and I believe there is another name or two just gone from my mind now ; well they came to the gate, this was on the 24th on the Sabbath, and the gate was locked, and a hasp on it, it was locked with a padlock, and they came there with a hammer, some bars of iron, and they were warned not to break it, they commenced pounding at it, and they 350 were called to by John Cronk who was outside, and told them not to break it and they persisted in it and broke the hasp and entered ; entered into the yard, and then came into the meeting-house, and took the door off of its hinges and came in.

Q.—And what did you and the others that were with you do ? A.—There were three of us, my brother, John Cronk, and myself. We forbid them breaking ; we forbid them entering the house ; we were in possession of the inside and we had understood that they were going to break in, and we were there to ascertain and know if any person did it—know who they were.

Q.—What was the result ? Did they get possession, did they get into the house ? A.—They came into the house, and when they had got the door off of the hinges Gilbert Jones called out for them to come on, Walter Leavens says come on friends, come on, and I was there, and I had a small pocket book that 350 I have with me now, a minute book, and he called out for me to take their names down, and I told them I should endeavor to do so, and they entered the house and went in ; on one side of the house there is a

partition and I went in and took their names down, and I have got their names in a pass-book in my pocket ; ket I have got their names in my pocket.

Q.—I am not sure whether you mentioned all of them ? A.—I don't think I did, but I just had them in my mind, (looking at the book) John Garrot I omitted and Levi Bowerman, William Branscombe, Nathaniel Sweetman.

Q.—State shortly what took place ? You took down their names ? A.—I took down their names, and and I stopped in the house until after they left the house ; I took charge of the house and locked it, and went away ; they stayed there about an hour and a half and then they left ; and I closed the house.

Q.—Now what meeting had been held there that day before these Defendants came ? A.—Orthodox Friends had held their meeting there in the morning at 10 o'clock. 370

Q.—At the usual time. A.—At the usual time.

Q.—Had that meeting concluded before these Defendants came ? A.—Yes ; some time before. We were there about an hour and a quarter and then the meeting was closed, and the house was closed up when we left.

Q.—It was after the regular meeting was closed, that these Friends came ? A.—After the regular meeting.

Q.—What took place after that ? Was there any further trouble about the matter ? A.—Yes, there was the night following ; Wednesday after they came.

Court—24th December was Sunday ? A.—Yes, Sunday and the 27th would be the Wednesday following. 380

Q.—Be good enough to tell us what took place on that day, with respect to the matter ? A.—On the Sabbath when they were there, they said they would break in the house as often as we had a mind to close it ; so on Wednesday they came quite an army of them with a crowbar and an axe, and I think there was a small bar of iron which was picked up afterwards, and they tried to open the door in front, and they couldn't, so they went and took an axe and opened the back door of the house, pried it off its hinges, broke the hinges and entered in that way.

Q.—Have you got a list of those that were there on the 27th ? A.—Yes ; on the 27th in addition those that were there before, Ralph Jones, S. H. Outwaters, Levi Varney ; there were a number of others but those are the principal ones I took down.

Q.—Are those in addition to others you mentioned as being there first ? A.—Yes, in addition to 390 those that were there in the first place.

Q.—Do you know whether Amos Bowerman was there or not ? A.—He came afterwards ; that is he came to the meeting after a while but he was not there at the time of the breaking open, that I discovered.

Q.—Was he there the same day ? A.—He was there the same day.

Q.—Did he take part with the Defendants in their meeting ? A.—Yes, he was in their meeting. Gilbert Jones, or some person tried to open the front door, the double door was fastened pretty secure, and they came near pulling it out of the brick work entirely.

MR. MACLENNAN—You say that ? A.—I saw it from the inside.

Q.—You saw the person doing it ? A.—No. I said Gilbert Jones or some others, somebody was 400 moving it ; some person, because it worked in the wall.

THE COURT—What was it they did ? A.—Afterwards Gilbert Jones came to the window on the east side with a crowbar, and pried the window up, the bottom sash, and raised it up, and some of the Friends inside pushed it down, and then he took the bar and crowded out and broke the window, and the windows were smashed to pieces ; some person tried to open the door by pulling it out ; I was inside, and I could see the door working in the wall quite considerably and fully an inch or more working out ; the hinges were in such a shape that they could take a crowbar and work it if they saw fit.

COURT.

Q.—Gilbert Jones broke in the window you say ? A.—Yes, and they made an attempt also to enter the window after it was torn to pieces, the first entry into the house at that time was made through 410 the back-door, they didn't succeed in getting in the window, they went to the back door with an axe and pried it off the hinges and entered in that way.

Q.—How long did they remain in ? A.—I saw Gilbert Jones come in at the back door with a crowbar in his hand, and he also passed on and went to the front door and broke the lock off the door, the lock was on the inside, and he calls for them to come in, he took the crowbar under his arm and walked into the east end of the house where we generally met for worship, with a crowbar with him into the room.

Q.—And what further ? A.—They stayed there about an hour and a quarter and left, and I endeavored to repair, the building committee endeavored to repair the house as best we could and make it so as it would not be entirely open, by barring the windows. 420

Q.—Had the Friends held a meeting there that day ? A.—No it was not a regular meeting day.

Q.—When is regular week day meetings ? A.—On Thursday the following day, our meeting is held on Thursday and on Sunday at 10 o'clock, that is the day before our meeting was held.

BY MR. MACLENNAN.

Q.—Were you at the yearly meeting in 1880 ? A.—Held at Norwich, was it ? I think it was, there was one yearly meeting and I wasn't there, I was at one that was held at Norwich, there was only one yearly meeting, I think ; I can't just say for certain.

Q.—You can't tell, you don't know ? A.—I won't say, I can tell by referring to the minutes, I can't remember, refresh my mind to all the particulars.

Q.—Were you at the yearly meeting in the year 1880 ? A.—I have been to all the yearly meetings 430 except one, and about 1880 or 1881, I ain't certain that I was there, I think it was 1880 that I wasn't there.

Q.—Well do you remember when the meeting, the preparative meeting the meeting at which there was a difference between the parties, a separation ? A.—At Bloomfield ?

Q.—Anywhere A.—At Bloomfield I was.

Q.—You were at that meeting ? A.—I was at that meeting.

Q.—When was that ? A.—I was clerk, and that was 10th Feb., 1881, I think it is.

Q.—Was that a yearly meeting ? A.—A preparative meeting.

Q.—In Feb. 1881, well from that time how did the parties, the different parties use the house, the meeting house ? A.—We continued our meetings as they had been for—I may say years—for a long time 440 there was a change of the hour, with that exception we kept them on the same day and hours.

Q.—I asked you from that time in Feb. 1881, in what way the different parties made use of the building ? A.—We held our meetings at the regular hour, and these Friends Gilbert Jones and others met there at two o'clock.

Q.—One party met at 10 o'clock——

MR. BETHUNE—I object to my learned friend going into that ; it is covered by authority, and perhaps we might save a good deal of time by discussing this ; I refer to *Earl vs. Wood*, 8 Cushing, Supreme Court Massachusetts—decisive, I think, of this particular matter ; at all events it is determined it is not a matter of any consequence at all, that these people may themselves have held meetings at any particular hour, and therefore quite immaterial whether or not the Defendants may have held a separate meeting or may 450 have held a meeting at all ; the point for determination is whether we or the Defendants are the successors of the original body ; if the Defendants take the ground that they are a separate body, that puts them out of court ; the only way in which the Defendants have a right at all to meet is by saying that we Plaintiffs are the separate body, and that they are the successors of the original body—so that I say that giving evidence to show that a meeting was held in the afternoon by these Defendants is entirely beside the question ; the Yearly Meeting binds the other meetings ; and if the Defendants are the real body, it must be from something which was done by the Yearly Meeting, which composed the Quarterly Meetings of Yonge Street, Pelham, and Westlake ; what may have taken place at the Monthly Meeting is quite beside the question and my learned friend must show that at the Yearly Meeting, the ultimate court of appeal in reference to this matter, some cardinal departure from the trust upon which this property was 360 held took place ; we say the new discipline became binding on all parties.

MR. BETHUNE now reads the printed report of the case referred to, of *Earle v. Wood*, the copy in the hands of the Quakers, unless the Yearly Meeting itself has adopted, has departed by an adoption of principles, from the cardinal principles distinguishing the Society of Friends, that, though some members of a Monthly Meeting or though a majority of a Monthly Meeting may have held these views, still the Court would not allow these Defendants to set up a yearly meeting, because it was the duty of these Defendants according to the constitution of their Society, to have carried this question about which they differed, this question of doctrine, before the Yearly Meeting, and had that determined, so that a difficulty arising either on a quarterly meeting or a monthly meeting or a preparative meeting about the subject of doc-

trine, is of very little use, because the Court here will not inquire into that ; the Court will not assume 470 that the Yearly Meeting would have adopted that erroneous doctrine, if we assume for the sake of argument it be erroneous, but that it was the duty of those who claimed, it was erroneous to have carried the matter before the final Court of Appeal, and to have had that determined.

THE COURT.—You say you are following out that original discipline of '59 ; well, doesn't that relieve the Defendants of any necessity of going to that Court of Appeal, as you call it ? It is sufficient, is it not for the Defendants then to show that your doctrines or opinions are at variance with what they maintain are the principles of Quakerism ?

MR. BETHUNE.—They must show that the Court of Appeal, the final Court of Appeal has adopted that, so that the body which alone has to judge of this, the Yearly Meeting itself, has gone wrong about that ; they must go at least so far as that the Monthly Meeting itself has no right to pronounce any doctrine at all ; it is composed of certain 480 persons who meet there for worship for the purpose of encouraging each other and so on ; now we have one person there who pronounces doctrine which is erroneous and owing to the peculiar constitution of the Society, though all the rest remain silent, that is not evidence of the adoption on the part of the members.

COURT.—You promulgate certain doctrines and say those are the doctrines of the yearly meeting and the defendants say, all we need say is that your doctrines are wrong.

MR. BETHUNE.—No, because so far as doctrine is concerned, the two disciplines are quite the same ; there are no differences in the discipline.

COURT.—The defendants maintain these doctrines are erroneous : you say however, they are not erroneous because they follow the yearly meeting.

MR. BETHUNE.—No, what I deal with now is simply the particulars which referred to certain doc- 490 trines and practices which the plaintiffs teach—not, which are in the book of discipline at all.

COURT.—I understand they have no standard of faith such as the Westminster confession, and you have only to determine what body has generally believed, and the book of discipline does not show that :

MR. BETHUNE.—You are only recognising doctrines sanctioned by the yearly meeting, and then what is the necessity of the defendants going to the yearly meeting ? All they need show is that these doctrines whether of the yearly meeting or the practice or profession, are contrary to Quakerism : it seems to me the position the Plaintiffs take relieves the Defendants from the necessity of going to the yearly meeting, they may assume what the plaintiffs say, that the plaintiffs are following out the decision of the yearly meeting.

MR. BETHUNE.—But the yearly meeting has never decided about the doctrines, the defendants have 500 no right to come before a court of justice and charge plaintiffs with erroneous doctrine, with a cardinal departure from faith until they have first gone to the forum which is part of the constitution of the society, because, taking the old system the old discipline providing for appeals, there is a particular part that lays down the law as to appeal—page 95 of the discipline of 1859 and pages 60 and 96 supposing there were instances even on the part of several individuals preaching doctrine open to the charge of unsoundness, the duty of any person in connection with that is to bring up that matter, to the preparative meeting and fin-

ally to the monthly meeting, and that can be carried in appeal as to whether that is unsound or not—to the yearly meeting, and I submit that until that has been adopted, it does not lie in the mouth of the Defendants or any portion of them, to secede from that body—it does not lie in their mouths to go out and say we claim to be the West Lake monthly meeting of Friends, because there is a body which can decide 510 which it is, and that body under the peculiar rules by which they are all bound is the yearly meeting. and that is precisely what was meant by the Chief Justice in the judgment which I have read—so that your Lordship will be entering upon this a very large and troublesome commission of inquiry, if you once enter upon the inquiry, did John Brown, Nathan Jones or some person else preach at a particular time—did he say this, that and the other thing, and that is not the particular thing for which these Plaintiffs are answerable, because I can point out at page 44 the way is pointed out by the discipline, it is brought before the monthly and thence the quarterly and finally the other. Your Lordship is now trying the opinions of particular persons whereas there is a particular mode of ascertaining the truth and whereby a brother may be convinced of the error of his ways, the Defendants do not worship with us : they worship separately but we are willing to have them come back.

520

COURT.—If the claim to the property had been on the orthodoxy of their opinions, you had a means of testing that by the appellate court.

MR. BETHUNE.—We were not complaining against them excepting that they did not come : we did disown some of them for not attending, but we made no charge in any way, and we disowned them because they went out and separated themselves from us : they however, had the right if we or any of our body were preaching unsound doctrines—which was not chargeable to the whole body but to the individual only, and the Defendants are trying to show that a particular brother at a particular time spoke against some of what the defendants regard the cardinal doctrines of the church.

COURT.—That was not the evidence that was being given.

MR. BETHUNE.—It seemed to me the particular subject my learned friend was entering upon was 530 utterly immaterial, the meeting spoken of was by arrangement.

COURT.—I don't know whether Mr. MacLennan had ultimately the object to ascertain about the separate meetings or to point to something else.

MR. MACLENNAN.—I want to show the position of affairs immediately incident to what the witness has already spoken of.

COURT.—I don't know whether they will be material or not, until I hear what they are. I will take the evidence subject to the objection.

MR. MACLENNAN continues——

Q.—After this meeting in February I think you said '81 I asked you how the house was used by the different parties, be good enough to tell us ? A.—The Friends as they called themselves, separatists here, 540 had met with us up to that time and then they chose to meet at a different hour ; they choose to meet at I think 10 or 11 o'clock—I ain't certain which hour they met ; I never met with them there ; they met on Wednesday in the afternoon and on the first day or the Sabbath.

Q.—You met on the first day at what hour ? A.—10 o'clock.

Q.—And on the 4th day ? A.—10 o'clock.

Q.—And they met on the first day at what time ? A.—In the afternoon, I think it is two o'clock.

Q.—On the first day ? A.—Yes.

Q.—So as not to interfere with the other meeting ? A.—Yes.

Q.—Was that so ? A.—Yes.

Q.—And they met on Wednesday the 4th day instead of the 5th day ? A.—Yes.

550

Q.—At the same hour as the others met on the 5th day ? A.—I ain't certain whether they met at 10 o'clock or 11 o'clock. I aint certain which they did but they met on that day at all events ; they were held different hours as well as different days.

Q.—How did that come about ? A.—On the 2nd February, as mentioned here, Eliza H. Varney proposed that they should have the house.

Q.—And that was conceded ? A.—Yes ; it was in a preparative meeting.

Q.—There was an afternoon meeting too held on the next day ? A.—Yes, held by the pastoral committee.

Q.—At what time did they formerly meet ? A.—At 4 o'clock it was held I think.

Q.—Always ? A.—Well it had been ; it has been different hours.

Q.—Was there a change made at that particular time for the afternoon meeting ? A.—I think there was a change made of half an hour.

560

Q.—From half-past three to four ? A.—4 o'clock,

COURT—Eliza Varney in a preparative meeting asked to have the use of the house ? Of the building ? A.—That is after they sit in our meeting of worship, and also of business, and after the meeting was closed then she made this proposition ; of course the meeting then was done, it had broken up.

Q.—And was it acceded to ? A.—We opposed it ; objected.

Q.—I want to know what was done in regard to the alteration of the hour ? A.—I objected to separate.

Q.—What alteration was made ? A.—We objected to their separation and if they would separate.

Q.—A change was made in the hour ? A.—This meeting was held under the pastoral committee.

Q.—You say there was an alteration made in the afternoon meeting ? A.—We met about half after three after that, we held our meeting about 4 o'clock, it was on the Sabbath—not under the control of the Pastoral Committee meeting at all.

Q.—What was the reason of the change ? Why was that alteration made ? From half past 3 to 4 ? A.—These Friends were holding meetings in there, and if we had gone at that time—gone in at that time,

we would have gone in on to them, and we chose to put it at a later hour.

Q.—In order not to interfere with their meeting ? A.—We didn't choose to go in there upon them.

Q.—Well now how long did that state of things continue ? how long did the parties continue to hold their meetings in that way ? A.—The pastoral committee was only held for a short time.

Q.—I am not speaking of the pastoral committee at all, I am speaking of the regular ordinary meetings of the different parties, you have told us now that you met at 10 o'clock and they met at 2 on the first day, and that you both met at 10, one on Wednesday and the other on Thursday ? A.—Yes. 580

Q.—How long did that state of things go on ? A.—It went on nearly two years.

Q.—Without either disturbing the others ? A.—There was disturbance.

Q.—One party disturbed the meetings of the other ? A.—Yes.

Q.—When did that take place ? A.—It took place in the case of a funeral when one of our friends—the notice was given out that the funeral would be there at such an hour.

Q.—That was not any of the ordinary meetings was it ? A.—It was.

Q.—I am speaking of the ordinary first day and week day meetings ? A.—If I understand the question.

Q.—I asked you whether your ordinary meetings were disturbed in any way or whether you disturbed their meetings in any way, the regular meetings ? A.—They didn't disturb us, nor we didn't disturb 590 them : they didn't attend ours : I never attended their meetings.

Q.—And that went on for upwards of two years ? A.—Yes

Q.—Well then what was the first thing that was done to interrupt our people in their meetings ?

A.—Just as it stated in the minutes here of our monthly meeting it was necessary to make some repairs.

Q.—Your monthly meeting resolved that you would put a stop to that ? was that it ? Your people came to the conclusion that you would put a stop to the use which the Defendants were having of the meeting house.

A.—Well I only know what the meeting done.

Q.—Well that is what they did wasn't it ? A.—The meeting appointed a committee. 600

Q.—Of which you were one ? A.—I am one of that meeting.

Q.—You were one of the committee meeting too ? A.—I was not.

Q.—You were appointed a caretaker ? A.—Yes that was after the first committee was appointed.

Q.—But you were appointed a caretaker ? A.—I was appointed a caretaker.

Q.—Who else ? A.—Abram Saylor and John H. Cronk.

Q.—Abram is a brother of yours ? A.—Yes.

Q.—And John H. Cronk ? A.—Yes.

Q.—Did you get any instructions or directions as to what you were to do ? A.—Yes.

Q.—What you were to do with regard to our people using the place ?

A.—We were to keep the house locked. 619

Q.—You were to keep the house locked against them ? A.—Yes.

Q.—Take possession ? A.—Take possession and keep the house locked.

Q.—From whom did you get these instructions ? A.—From Mr. Alcorn.

Q.—From the Lawyer ? A.—Yes, Mr. Alcorn is the man that gave the instructions.

Q.—You went and consulted a lawyer about it ?

A.—We did after they had broken into the house.

Q.—I am not speaking of that—before they broke the house, before you locked them out ?

A.—The monthly meeting authorized us to take the key and to take charge of the house and to lock the house.

Q.—And you did it ? A.—We did it and locked the house ? 620

Q.—And you fastened the windows down so that they would have no chance of getting in whatever ?

A.—The fastenings have been on the windows for years.

Q.—But you secured them didn't you ? A.—They were already secured.

Q.—You closed them ? A.—They were already closed.

Q.—Always closed the windows, and the fastenings on the windows ?

A.—With the exception of their being raised to let air in the house ?

Q.—Did you make the windows secure, you took care the windows were not in a condition to be lifted up I suppose ?

A.—The moment they are let down they are fastened.

Q.—They are self-fasteners ? A.—They have fasteners on. 630

Q.—They are self-fasteners ? A.—I think so, I know so.

Q.—Did you put in new windows or fastenings at all at any time ?

A.—Not till after the doors were broken open.

Q.—When was that ? When did you put in these new bolts and fastenings if you did ?

A.—Between the 24th and 27th December.

Q.—You got no authority from the trustees to do what you did, did you ?

A.—The trustees were at our meeting—I think.

Q.—Did you get any authority from the trustees ?

A.—Not a special order from the trustees, but they are a part of our Monthly Meeting, and were present when we were appointed. 640

Q.—But you got no authority from them individually ? A.—Not specially authorized.

Q.—And the trustees took no part in what you were doing ? A.—I think they did.

Q.—I mean didn't take any part in this caretaking business in which you were exercising yourself ?

A.—No they didn't.

Q.—Do you know the land described in these two deeds that have been put in ? A.—I do.

Q.—On which of these two pieces of land does the building stand, the meeting-house ?

A.—It stands partially on both pieces.

Q.—The meeting-house ? A.—Part of it stands on the land deeded by Bowerman, a part of it.

Q.—I speak now of the meeting-house ? A.—Well, I say I believe it does.

Q.—Stands on what ? A.—It stands on both parts of the land, it stands on both lots. 650

Q.—How much on one and how much on the other ? A.—I can't tell you that exactly.

Q.—Do you know where the line between lots 9 and 10 runs ?

A.—I did ; if you go behind the house you can see.

Q.—I want to know if any part of the meeting-house is on lot 9 ? A.—I think it is.

Q.—But you wouldn't swear to it ? A.—I wouldn't say positively that it is.

Q.—You don't know it is not ? A.—I do not know where the line is.

Q.—You don't know in fact ? A.—I do know where the line is.

Q.—But you can't say that any part of the the meeting house is on lot 9 ?

A.—I wouldn't swear positively, or affirm positively that it was, but I think it does.

Q.—Will you swear the meeting house is not 30 feet from the line between 9 and 10 ? 650

WILLIAM H. HARRIS

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REPORT

OF THE

A.—I don't think it is.

Q.—Will you swear it isn't ?

A.—I ain't going to swear anything about it, whether it is or isn't ; I tell you I couldn't see over the buildings to tell, and I never took a thought to see just where it did stand.

Q.—The 27th December was the usual day for our friends meeting, wasn't it Wednesday ?

A.—Yes, Wednesday.

Q.—And the 24th was Sunday ? A.—Yes.

Q.—I believe there was something done to the stovepipe ? A.—There might have been.

Q.—Do you know who did it ? A.—I don't.

Q.—You don't know who did it ? A.—No.

660

Q.—The stovepipes were stuffed so that if a fire were lighted ? A.—I don't know that.

Q.—You don't know that ? A.—No.

Q.—You never heard it ?

A.—I heard it yes ; I heard Gilbert Jones say that he done it ; that is the statement in his evidence, his evidence stated, I don't know who done it.

Q.—Did you hear him say it, that he did it ?

A.—I didn't say so ; I don't say so.

Q.—You didn't hear him say that he did it ? A.—I didn't say so at all.

Q.—Did you ? A.—No I didn't, I didn't say so.

Q.—Weren't you there all night one night ? A.—No.

Q.—Any of you ? A.—Well I don't know who ; I wasn't.

670

Q.—Any of you caretakers ? A.—I can't tell you.

Q.—You didn't stay all night at any time ? A.—No night never.

Q.—Nor most of the night ? A.—No, I stayed there till about 12 o'clock.

Q.—And then who stayed after that ? A.—I can't tell you.

Q.—You don't know whom you left there ?

A.—Yes ; I left—I ain't really sure whether there was two or one left.

Q.—You left either one or two for the rest of the night ?

A.—I don't know whether they stayed there all night.

Q.—It was intended they should ? A.—I can't tell you whether they did or not.

Q.—Was it arranged between you that you should ?

680

A.—No ; there was n ao rrangement come to in that respect that I know of.

Q.—How did you come to be there till 12 o'clock ? A.—I was fixing the fastenings on the door.

Q.—Were the others with you up to that time ? A.—The other two were there.

Q.—And you went away and left them there ?

A.—No I didn't, I don't think so ; I think John Cronk left before I did.

Q.—And you left your brother there ?

A.—I ain't sure whether he was there, I think not though ; I think there was some other friends came in.

Q.—You think now you didn't leave anybody there ?

A.—Yes there was some person there ; I think my son Samuel was there ; I ain't certain whether he 690 was there, whether he and John Cronk didn't go together, and I ain't really sure whether he and John Cronk didn't go together, and I aint really sure whether he was there, whether there was any person left in charge of the house when I left ; I won't say there was.

BY MR. CLUTE—

Q.—On the day that this separation took place what day in February did you say that was ?

A.—On the 10th—the second month February 10th.

Q.—Now have the Defendants or their party attended the yearly meeting that has been held subsequent to that time ?

A.—They have not to my knowledge.

Q.—Have you yourself attended ? A.—I have attenped.

Q.—Have they attended your quarterly meeting since that ? A.—Not until after this last court. 700

Q.—Not until after the spring court ? A.—No.

Q.—So that whatever meetings they have held, have been entirely distinct from your regular meetings ?

A.—Entirely distinct and separate.

Q.—Does that apply to the preparative meeting as well ?

A.—That very day that Eliza Varney came to me and asked for the house, was after our meeting had closed, the business had gone through and the adjourning minute was read, we considered the meeting was over as far as any business in the order of society, and then I am told and I think their minutes shows

that that afterwards went in men and women and held a preparative meeting after sitting through our meeting, and meeting of business, they have taken no part in our business ever since that spring sitting, 710 but they came in and held a separate meeting still.

Q.—Would they wait until after your meeting was over ?

A.—Some of them would stay, others would wait until after our meeting was gone through, and then they would go and hold separate meetings.

Q.—Did the women bring in their own clerk ? A.—They have all the time.

Q.—Then from 10th February, 1881, until the present, they have held distinct meetings ?

A.—Distinct separate meetings.

Q.—Both preparative, monthly, quarterly and yearly ? A.—Yes.

COURT.—They attended quarterly meetings since this last Court ?

A.—They come in at sometimes, but part of them would stay in this until after our meeting was 720 through, and then they would hold a separate meeting.

Q.—Organize and hold ? A.—Organize and hold separate meetings.

Q.—My learned friend refers to minutes meeting of the 17th Feb., 1881, in book "Y", a committee appointed to forward to the monthly meeting the names of those who desire separate meetings, would that be after they held their first yearly meeting subsequent to the snparation ?

A.—Yes.

Q.—After they had formally separated ?

A.—After they had held their preparative, monthly, quarterly and yearly meetings, they commenced holding their preparative and then the monthly and then the quarterly and then the yearly meetings.

Q.—Under whose direction was this action taken ?

730

A.—Under the yearly meetings ; they evidently desired to separate, and didn't choose to meet with us.

Q.—Now since '80—in the yearly meeting in '80, how many quarterlies was the yearly meeting composed of ?

A.—Three ; the West Lake, Yonge Street, and the Norwich or Pelham ; Pelham and Norwich forms one quarterly ; I was thinking over the questions asked me, if I attended the yearly meeting in '80 ; I didn't I think say that in '80 I wasn't there, but I know what they were.

Q.—By the minutes put in ? A.—Yes.

Q.—Have you attended the yearly meetings of friends since 80 that is 81 '82 '83 ?

A.—I have attended the yearly meetings of '81 and '82 and 83 and every yearly meeting since the 740

yearly meeting was established, with the exception of one or two.

Q.—I speak of those last three, of what quarterly meeting did they consist ?

A.—Of the same three that the yearly meeting was established of : the same three quarters that has ever been represented at the yearly meeting.

Q.—Supposing you have business sent up to the yearly meeting in what manner is that done ?

A.—It is sent by their representatives appointed by the quarterly meeting to represent it to the yearly meeting.

Q.—And the monthly meeting would send up their business to the quarterly ?

A.—To the quarterly.

Q.—And the preparative to the monthly ?

750

A.—The preparative to the monthly, the monthly to the quarterly the quarterly to the yearly.

Q.—The Westlake monthly meeting is composed of how many preparative meetings ? A.—Two.

Q.—What are they

A.—What is known as the Ameliasburg or Wellington : it has been called different names Bloomfield and Wellington—two preparative meetings forming the Westlake monthly meeting.

Q.—Down to the present time with whom has the whole of the Wellington preparative meeting as a meeting acted that is, to what monthly meeting have they sent their business to your monthly meeting or to the other side.

A.—To the meeting of which I am a member.

Q.—So that your monthly meeting, the plaintiffs monthly meeting consists still of the two preparative meetings that you have mentioned ?

A.—They do, and always have.

Q.—Do you know whether or not the Defendants monthly meeting recognised at all the Wellington preparative or whether the Wellington preparative sent delegates to theirs or not.

A.—I don't only by their minutes : I believe they didn't until very recently.

Q.—So that down to the present time the Westlake monthly meeting has continued its formation just as it did before the separation took place at all ?

A.—Just the same.

Q.—Except in regard to the number of members that have gone out ?

A.—The same as for this 25 years.

770

Q. - And the formation of the yearly meetings is identical ?

A.—The same as it has been for 25 years which I have been a member.

Q.—Now the persons that were chosen trustees those referred to already the plaintiffs in the suit, were they members of the Westlake monthly meeting ?

A.—They are.

Q.—Is that the minute book of the Bloomfield preparative meeting ?

A.—Yes. Exhibit "Z."

Q.—How long after the separation did you continue clerk ? you continued clerk then down to June 81 from '78 ?

A.—From '78 I have been clerk of that preparative meeting.

780

Q.—Who was appointed after that ? A.—Stephen W. White.

Q.—Were there two clerks, one for the women's meeting and one for the men's meeting ?

A.—Yes there are.

Q.—Who was clerk of the preparative meeting, women's side ? A.—My wife.

Q.—Up to this time ? A.—Yes and sometime after I think.

Q.—Who is the present clerk ? A.—Stephen W. White.

Q.—Is he one of the Plaintiffs ? A.—Yes.

BY MR. MACLENNAN—

Q.—You say that in November '81 your Monthly Meeting disowned these brethren ?

A.—Yes, according to the minutes.

790

Q.—Well, you were a party to the transaction I suppose ? A.—I expect I was at the meeting.

Q.—And took part in it ? A.—I have no doubt of it.

Q.—Was there any previous notice given to these brethren ?

A.—They were visited I believe.

Q.—Was there any previous notice given them ? A.—I can't say.

Q.—Were you any party to what the Yearly Meeting did on the subject in the previous June ? Were you there ?

A.—In '81 ?

Q.—Yes ? A.—Yes, I was there ; I was one of the representatives.

Q.—You were one of the representatives ? A. —Yes, I was one of the representatives.

800

Q.—Had you anything to do with passing this resolution ; getting this done by the Yearly Meeting—the subject of separation in the West Lake Monthly Meeting has been brought before us by the representatives of that meeting—you brought it before the Yearly Meeting

A.—I am one that mentioned it among the rest ; I am one of the number, among the rest.

Q.—“ After serious deliberation we concur in directing the Monthly Meeting of this Yearly Meeting to use their own judgment in releasing those who evidently desire to separate from us ” ?

A.—That was passed at that Yearly Meeting.

Q.—Without further ? A.—That was giving us the privilege of doing so.

Q.—You were to use your own judgment in releasing them ? Now was that in accordance with the old practice ?

810

A.—I think we used our judgment and they were notified of it in consequence—notified in writing.

Q.—Where was that Yearly Meeting held ? A.—Norwich.

Q.—Where is that ? A.—I can't tell just now how many miles it is west of Pickering.

Q.—A town or village ?

A.—It is a town I should think, it is a nice little country town or village.

Q.—In the County of Oxford ?

A.—I think it is ; I am not thoroughly conversed in the localities there.

Q.—Had the Yearly Meeting any meeting-house there ?

A.—They have a meeting house there ; there is a meeting-house there.

Q.—Had they any meeting-house there belonging to the Yearly Meeting ? A.—Yes.

820

Q.—Belonging to the Yearly Meeting ? A.—Yes I think so, I know so.

Q.—When did they acquire it ? A.—I think they used it all the time.

Q.—I mean was there any meeting-house which belonged, which was the property of the Yearly meeting at Norwich ?

A.—I think there is, I think so.

Q.—When was it acquired ?

A.—Acquired and used all the time as far as anything I know, I don't know but what the meetings are held there regularly, so far as I can tell you.

Q.—The yearly meetings have been held there regularly have they ?

A.—No never held there but once.

830

Q.—Where was this yearly meeting held the first time ? A.—In the village.

Q.—The first time it was held ? When it was established ? A.—At Pickering.

Q.—How often has it been held there since ? A.—Ever since.

Q.—Except this one time ?

A.—Except this one year, the proposition came from one of the quarterly meetings to grant liberty to hold it at Norwich, and the yearly meetings granted it.

Q.—So they determined to hold the yearly meetings in Norwich ?

A.—The yearly meeting granted it.

Q.—And the first yearly meeting under the new discipline was held at Norwich not at Pickering ?

A.—I expect so.

840

Q.—You were there ? A.—I was there.

Q.—Where did you hold the meeting at Norwich ?

A.—I can't tell you where they were all held.

Q.—I mean the yearly meeting ?

A.—It was held in the village, in the immediate village.

Q.—What place ? A.—Methodist church I think : and I don't know the name of the other church—Presbyterian I think.

Q.—That is where your yearly meeting was held at Norwich ?

A.—I think so they accomodated us with ther houses.

Q.—At Pickering there is a preparative belonging to the yearly meeting ? A.— Yes.

850

Q.—And I believe that was built for the purpose of holding the yearly meeting ? A.—Yes.

Q.—Where they met all the time except on this one occasion ?

A.—Except the one occasion : they have since.

Q.— They have met at Pickering since ? A.—Yes the regular established time.

Q.—How many preparative meetings have the Defendants yearly meeting ?

A.—Well I couldn't tell you.

Q.—You don't know ?

A.—I don't know of any but recently, I have had some knowledge of preparative meetings held in 860 Wellington since they came back, and they have stopped this preparative meeting and they have held a preparative meeting in the meeting honse, after we had got through.

Q.—You have been a member for 25 years ? A.—I have.

Q.—Have you ever been disowned ? A.—I was.

Q.—When ? A.—Some 10 years ago.

Q.—How long ? A.—Nearly a year out of them I think.

Q.—What was that for ? A.—Do you want to know exactly what it was for ?

Q.—Yes ?

A.—My father borrowed a bay knife of my uncle and I bought this property, and that bay knife was 870 in the barn, and another individual claimed it.

Q.—What was the complaint against you ?

A.—They complained, and the knife was there.

Q.—What was the complaint against you ?

A.—I would like to tell it, the complaint was because I would not pay for the knife, the knife was borrowed by my father, I bought my fathers property, and he died, and the knife was right in there sticking for anybody to see it, and a neighbor of mine said it was his, and I said if it is go and take it, and they sent a constable to me with a warrant to fetch me and the knife, and the constable came, John Thompson, and showed me this, and he says I am sorry to say I have to do this : "All right" says I there is the knife, go and take it says I, I will go and help you find it, so I went for it, and a committee was appointed by the Meeting to visit me about it, and they told me if I would give them a dollar to pay for the knife, they 880 would retain my membership, and I said I never borrowed the knife, and it isn't mine, and I won't pay for it, and I was disowned in consequence ; that is just the straights of it.

BY MR. CLUTE—

Q.—How were you reinstated ?

A.—By the same meeting, and visited by the same party that was appointed to disown me.

Q.—Was the knife found ?

A.—I have never seen it since : a neighbor of mine then had a little offence against me and he brought it up.

Q.—Did you make any acknowledgment of error ?

A.—I did'nt, nor would'nt neither, nor never will.

MR. BETHUNE.—That is the plaintiffs' case just now ; of course we have got a rebuttal case, but that is all the evidence we give now.

PLAINTIFFS CLOSE.

MR. MACLELLAN for the Defendants submits that no case is made out by the Plaintiffs he objects that the deed put in of the year 1821 is ineffectual to give the Plaintiffs any title and the deed of 1835 does not confirm it ; and neither of the deeds referred to constitute the trustees named in it, a corporation and the deed of confirmation amount to nothing more than a grant for the life of the grantees ; Mr. Maclellan refers to Trustees of Galt Church vs. Bain U. C. Q. B. 198 : neither of the deeds make any provision for the succession of the trustees anymore than in the case now referred to : the plaintiffs do not prove any conveyance from those trustees or any of them to themselves : the theory of the Plaintiffs action is that they are a quasi corporation claiming existence under the authority of the Provincial statute, and that as such they have a right to maintain this suit, and not one of the present trustees the present grantees is one of the trustees mentioned in the original deed the Plaintiffs have the trustees here, but there is no use having the trustees here without having also the title : Mr. Maclellan now referred to the statutes of mortmain which disentitles charitable corporations except by conveyance and under particular restrictions, and therefore they cannot acquire title by length of possession.

COURT—I refer you Mr. Maclellan to the case of McDonald V. Worthington as to the right to give further evidence in case my ruling now is not upheld on appeal.

MR. BETHUNE to defendants being permitted to give any evidence if the Court is found to be wrong hereafter, after deciding for Defendants.

910

COURT.—I reserve the consideration as to what I shall do, and I think it would be discretionary for me to do so. It seems to me I ought not to give effect to this objection at present, because I think the real question at issue between the parties is, which of the parties the Plaintiffs or Defendants is entitled to this property. I think the long possession by these Defendants whether corporate or not, including the possession of the original grantors or their heirs, ought to be suffice to give title as against the original owners or the Crown—and I don't think the Statutes of mortmain ought prevail seeing that these bodies are permitted to hold any amount of land for that purpose : I rather think the way of disposing of it which would be best for all parties concerned and prevent the chance of another hearing with all this numerous body of witnesses here, better to dispose of it now upon the merits of the case than give effect to this preliminary objection : and I will permit Mr. Maclellan to go into evidence as I think I have discretionary power to do so, and I allow you to do it.

920

DEFENDANTS ACCORDINGLY PROCEED.

MR. MACLENNAN puts in a copy certified by the registrar of the appointment of trustees which the Defendants have made marked as exhibit "A. I."

MR. BETHUNE—I object to the admissibility of that, because it is not in compliance with the statutes on its face, instead of determining the mode, they went on and determined the appointment.

MR. MACLENNAN now reads the evidence of Stephen W. White, taken at the last sittings of this Court in this case at Belleville, the former trial.

While reading this evidence, Mr. Bethune objects to the Defendants going into the question of what a particular preacher says.

930

COURT—I suppose the Defendants were going to show that MacLean, a minister, had preached certain contrary doctrines—and then that the Plaintiffs recognized those ; there may be a difficulty in the way of it, but that is surmountable.

MR. BETHUNE—Dealing with a collective body, you have to show beyond a doubt, that that body as a body are preaching these doctrines ; we are perfectly willing to stand by the book of discipline.

COURT—I suppose the opinions of McLean should not bind the Plaintiffs, unless the body as a body approved of it tacitly or by objection.

MR. BETHUNE—The Monthly Meeting as such, has nothing whatever to do at all with the doctrine except, so far as separating or disowning members is concerned.

MR. MCLENNAN—It is the practice we complain of chiefly.

940

MR. BETHUNE—Doctrinal unsoundness would occur at the worship meeting, and the worship meeting is only a small part of the Monthly Meeting ; several preparatives make a Monthly Meeting, and what they wish to do is to try and show that the Monthly Meeting is answerable for some of the isolated acts which may never have come before the Monthly Meeting as such ; they must connect us in some way with this preaching by McLean in the preparative meeting only.

COURT—I will take the evidence subject to the objection.

MR. MCLENNAN proceeds with the reading of the evidence of Stephen W. White as before.

6:45 p. m.. Court here adjourns till 9:30 the following morning, Wednesday, when Mr. MacLennan continued the reading of Mr. White's evidence.

ELIZA VARNEY sworn for Defendants testified as follows :

950

BY MR. MACLENNAN.

Q.—Are you a member of the Society of Friends ? A.—I am.

Q.—How long have you been a member ?

A.—I have been a member of the Orthodox Society of Friends for 36 years.

Q.—Have you been connected with the West Lake body ? A.—I have.

Q.—How long ? A.—It was there I obtained my membership.

Q.—It was there you obtained your membership in the first instance ? A.—Yes.

Q.—You were abroad however, part of the time ? A.—5 years.

Q.—You were absent for about 5 years, and were where you during that time ?

A.—I was a member of the New England Yearly Meeting.

Q.—During your absence ? A.—During my absence.

Q.—And then you returned ?

A.—I did.

Q.—How long ago was it that you were abroad ?

A.—I think that I left Canada in '48, and returned in 5 years afterwards.

Q.—Do you hold any office in the body at the present time ? A.—I do.

Q.—What is it ? A.—I am a clerk of the Quarterly Meeting also of the Yearly Meeting.

Q.—And in the Monthly Meeting ? A.—No.

Q.—Before the troubles between the members of the Westlake Society, did you occupy any position in the body ?

A.—I did.

Q.—What was it ?

A.—I was assistant clerk of the Quarterly Meeting at that time, and I was clerk of the Canada Yearly Meeting when it was established—the Yearly Meeting of Women's Friends, I should say.

Q.—At the time that the Canada Yearly Meeting was established what position did you occupy ?

A.—I was clerk at that time, appointed clerk at that time.

Q.—That is of the Women's Yearly Meeting ? A.—Of the Women's Yearly Meeting.

Q.—Who was the clerk of the men's Yearly Meeting ? A.—Adam Spencer.

Q.—How long did you continue to be clerk of the women's Yearly Meeting.

A.—I think some 10 or 11 years when I was prevented from attending by my husbands illness : the following year I again attended and was again put in as clerk for that year

Q.—And how long did you continue ?

A.—The next year my mothers severe illness kept me home.

Q.—In the year '80 were you clerk ?

A.—I was at the Canada Yearly Meeting in '80 but was not Clerk.

Q.—Were you a minister at any time ? A.—Yes.

Q.—How long ?

1875

1875

1875

A.—I don't know ; I think my gift was acknowledged in '64 or '65 ; I couldn't be positive.

Q.—And from that time to the present ?

A.—From that time till the present.

990

Q.—And you are still a minister ? A.—Considered one.

Q.—Since '54 or '55?

A.—'64 I think it was ; I would not like to be positive because I can't distinctly remember I made no minute of it at the time.

Q.—Well during that time, have you paid a great deal of attention to the practices and customs and doctrines of the body of friends to which you belong ?

A.—Always endeavored to, from my first coming among them.

Q.—Where did you attend worship usually ? A.—At Westlake.

Q.—That is the building in question ? The meeting house in question, yes.

Q.—Is that the place where you attended during the whole of the time that you have been connected1000 with this body ?

A.—That is the preparative meeting to which I have always been a member when in Canada,

Q.—And the Monthly Meeting also ? A.—And the Monthly Meeting also.

Q.—Now have you observed any differences that have arisen among the people belonging to the body of late years ?

A.—Yes, I have to my sorrow.

Q.—What kind of changes were they that you refer to ?

MR. BETHUNE—I object to that being proved in this way for this reason that we now have the discipline of the body in—and if it is provided in the discipline, the discipline of course should speak upon that point; if it is not provided in the discipline, it could only be covered by perhaps that part of the discipline1010 referring to the writings of Fox and others, though I do not think that refers as much to doctrine—to discipline so much as to doctrine ; if there is no provision in the discipline as to a matter of that kind, it is not a practice which would constitute a ground at all for setting aside the Plaintiffs standing.

COURT—I don't know how you are going to establish differences in doctrine and discipline and practice by the Plaintiffs in any other mode ; I don't know that the Plaintiffs have a separate book of discipline for themselves.

MR. BETHUNE—These practices to which she refers are not provided for in the discipline, and if they are, the particular part of the discipline should speak as to that.

COURT—I can't tell that till the book of discipline comes to be investigated ; I will take the evidence

the meantime subject to that.

1020

MR. BETHUNE.—I think I have a right to call upon my learned friend to look at the book of discipline now : the answer has not mentioned any particular differences.

COURT.—Suppose it is not in the book of discipline at all ?

MR. BETHUNE.—Then it can form a practice.

COURT.—Would not the uniform practice since '59 be admissible ? suppose the Defendants were able to show that though not reduced to writing in any creed, the practice of the Quakers had been uniform in a particular direction since the institution of Quakerism, since Fox or Barclay and others' time would not that be sufficient ?

MR. BETHUNE.—I submit, not because the book of discipline is framed from time to time for the very purpose of guarding of covering every point.

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COURT.—The book of discipline might point out affirmatively what they were to do, but it might not say negatively what they were not to do.

MR. BETHUNE.—I agree if no book of discipline at all usage is to be relied on, but produce the book of discipline then all that is excluded.

COURT.—The objection is as to evidence of practices : Mr. MacLennan continues.

Q.—What differences were there that arose of late years ?

A.—The manner of worship was quite changed.

Q.—You say that the manner of worship was quite changed ? A.—Yes.

Q.—Now in what respect ?

A.—Latterly since these new ideas have come amongst us, the scriptures, what I had never seen read1040 in our meetings, though we are a bible reading people and read it prayerfully yet, when I had never seen them read in our meetings till these new practices came amongst us they would then open, many of them that were not ministers : some private members and some that were elders would open the bible and read chapter and comment from it.

Q.—In meeting ?

A.—In meeting sometimes to the hindrance of the gospel.

Q.—Now do you say from your knowledge that that is contrary to the ancient practices of the society ?

MR. BETHUNE.—My objection comes now in order, and I say that must be determined by the discipline itself I refer to the discipline page 27 "Meetings for worship."

1050

COURT.—You mean to say there is nothing in the book of discipline to show that the scriptures are

forbidden to be read.

MR. BETHUNE.—Yes.

COURT.—I think I shall hold that the uniform practice of the body is discipline for the purpose of this evidence, at all events.

MR. MACLENNAN continues,

Q.—The reading of the scriptures is not in accordance with the ancient practice of friends I mean in meeting?

A.—Not that I had ever read, or ever had known in the experience of mine, in either of the yearly meetings of which I had been a member.

1060

Q.—And your understanding has been the contrary? A.—Yes.

Q.—Now when was that practice introduced and under what circumstances do you remember?

A.—Well I don't know that I could give the exact time the date of it when I first witnessed it in our meeting there in Bloomfield: I think the first individual that I remember reading and expounding I think was Charles G. Cowman.

Q.—Was he a member of your body? A.—A member and elder.

COURT—Q.—When was that.

A.—I couldn't give the exact date, but I think some books will show.

Q.—About how long? A.—I think some 6 or 7 years ago: when it first commenced: I would not dare to be positive, because I can't remember justly the time: it was when these things were first coming in among us.

Q.—Was there any other new thing about the same time? any other new practice?

A.—There were other practices brought in singing, breaking out in singing occasionally.

Q.—Singing also in meeting? A.—Yes.

Q.—Is that in accordance with the ancient practice?

A.—Not as I understand it: it is not: I think as Barclay lays it down it is very clear it is not in that way.

Q.—And who introduced that practice.

A.—Well I couldn't tell who was the first one: there were a good many meetings in which it was the practice, at which I was not present not having unity with what was going on in our meeting, and feeling that I didn't want to come out openly and oppose it, lest I might mar the work of truth and the soul of any, and remained quietly in my own home.

1080

Q.—In consequence of that and other things, you often remained at your own home instead of going to meeting? A.—I did.

COURT—Did you say Barclay has expressed himself as opposed to singing?

A.—I think so; I think friend Alcorn could show just the passage; I have not got the page and chapter with me.

Q.—You say in consequence of these innovations you abstained from attending the meeting?

A.—I did.

Q.—At times when you expected these practices to be followed.

1090

A.—I did; I never went near the meetings, near the meeting house, while Noah MacLean and his company were there, I had 8 weeks that I stayed home.

Q.—Is that the Mr. MacLean who was mentioned by Mr. White?

A.—Yes.

Q.—You recollect the time he was there? A.—I do.

Q.—And did you observe him practising any innovation yourself?

A.—I had been at the Yearly Meeting that year.

Q.—We confine ourselves now to the Monthly Meeting?

A.—What I knew of him—I had reason to believe what he would do and what he would carry on, and therefore I—

1100

Q.—Were you present at any time when Noah MacLean was at the meeting?

A.—I didn't go near the meeting-house while he was there, well knowing what his practice—what I might expect and what my friends told me did take place.

Q.—And from what you heard had taken place? A.—Yes.

Q.—How long was he there? A.—I think about 8 weeks; I wouldn't like to be positive about that, but it was quite a number of weeks.

Q.—Was there anyone there with him? A.—I can't remember the name.

Q.—Another man? A.—Yes.

Q.—Radcliffe? A.—Yes, Joseph Radcliffe I think was with him.

Q.—They were both there at the same time? A.—Yes.

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Q.—And what had you known about Radcliffe?

A.—I can't say that I knew anything about him ; he was a stranger to me.

Q.—Well, you know how far MacLean and Radcliffe were favored by some of the Friends and disapproved of by others of the Friends ?

A.—I think all the older Friends with the exception of some two or three—

MR. BETHUNE— This lady wasn't there, and is not the proper person to prove that; it must be the collective action of the meeting that is to govern, and not individual opinions that occur at a private conversation; in the Gore Bank v. The Hamilton and Port Dover Railway evidence was given tending to prove that every individual member had approved of what had been done with the Bank, but we weren't able to prove the collective action, and it was held not binding on anybody ; I think this is a question of corporate action the action of the Friends in meeting ; before a body can be bound, and a separation justified, the collective action and judgment must be proved. 1120

COURT.—I note the objection and take the evidence subject to it.

MR. MACLENNAN continues —

Q.—Well will you tell me how far these practices of Radcliff and Maclean were approved of or disapproved of as far as you know, among the Friends ?

A.—I know that quite a number of the Elders and Trustees of West Lake Preparative, these old Friends that were trustees met at our house, and took into consideration what would be the best and proper course for us to pursue in regard to permitting Noah Maclean holding those meetings.

COURT.

1130

Q.—Are these elders and members of West Lake Monthly Meeting ?

A.—Yes, and preparative meeting, not all of the members of the monthly meeting, but all belonging to that preparative meeting with the exception of Eliza Brewer Charles, G. Bowerman, I don't remember whether there was anyone else absent or not, with the exceptions of those two. they were in favor of the other party, they took into consideration what would be the best and proper course for us to pursue, seeing that the discipline had been in a great measure put under foot.

COURT.

Q.—That is with regard to Maclean and Radcliff ?

A.—Yes, and Charles G. Bowerman as he didn't give the meetings in the name of Noah Maclean, he gave them out as Friends Meetings. 1140

Q.—And what was the feeling of those Friends about those preceepings ?

A.—We felt very much weighed down under the state of the society, and it was decided to walk as nearly as possible according to the discipline, though there seemed to be no discipline that reached the case, that would meet the case, and William Valentine and Levi Varney were appointed.

Q.—What was the opinion of these Friends that met there, of these proceedings ?

A.—William Valentine, Levi Varney, and I think Stephen W. White, if I remember right—he was present at the time, I know—were appointed by that meeting, by those elders and trustees, to go and visit Charles G. Aowerman and request him to refrain from opening any further meetings, and that this thing might be brought to a close.

COURT.

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Q.—They were appointed a committee to converse with Bowerman ?

A.—To remonstrate with Bowerman in the course that was being pursued.

Q.—And to put a stop to these proceedings ?

A.—If possible quietly to do it, without any further trouble.

Q.—Do you know whether that was done ?

A.—My husband went immediately—it was attended to at once.

Q.—Was there any result ?

A.—They found Charles Gideon Bowerman away from home.

Q.—Was there any result ? A.—The result was they didn't take heed to it.

Q.—The proceedings went on ? A.—The proceedings went on the same.

1160

Q.—And he remained as long as he intended to remain as far you know ?

A.—Well, our friends thought best to take counsel and to see what had to be done to put a stop to it.

COURT—You understood that this committee had had an interview with Mr. Bowerman ?

A.—I think my husband told me so.

Q.—But it didn't have the effect of putting a stop to the proceedings ? A.—No it didn't.

Q.—Do you know whether others besides yourself stayed away from the meeting in consequence of these proceedings ?

A.—I think there were others—quite a number, yes.

MR. BETHUNE.—That cannot possibly be evidence.

1170

COURT.—I suppose it is part of the *res gestae*: they abstain from a particular action and at the same time state their reasons for abstaining : I don't think it proves the fact : it proves the statement.

MR. MACLELLAN continues.

Q.—You heard from others, other friends that they remained away just as you did, for the same reason ?

A.—Yes other of our number attended and opposed the course that was pursued.

Q.—Others of your number, you heard from them, attended and opposed what was being done ?

A.—Yes.

Q.—Then after that, were there other persons came to the meeting ? After MacLean's time.

Q.—Yes ? A.—Amos Kenworthy was there.

1180

Q.—When was that ? A.—I couldn't give the dates.

Q.—Was that after Maclean ? A.—After MacLean.

Q.—Were there any practices while he was there, that you know of ?

A.—I was at one of his meetings, or at a meeting for worship where he was.

Q.—And did anything unusual take place ? A.—There did,

Q.—What was that ?

A.—I heard him interrupt a minister, while he was speaking, and say it was a lie.

COURT.Q.—That is, what the minister was saying he supposed was a lie.

A.—Yes I understood him as meaning that.

Q.—Who was the Minister ?

1190

A.—Well I don't know that I could give the name now, I don't recollect the name, he is now dead.

Q.—Was he one of your own people ? A.—He was of our own from Iowa.

Q.—Not belonging to our own body ? A.—Yes belonging to our own body.

Q.—Was he one of the Westlake people ? A.—No he was from the Iowa yearly meeting of friends.

Q.—He was from abroad. A.—Yes.

Q.—And did Mr. Kenworthy come accredited from some other body

A.—He did I believe.

Q.—You so understood ? A.—Yes.

Q.—Did he while he was there practice anything any unusual proceedings ?

A.—I wasn't present at any other meeting that I remember excepting a monthly meeting.

1200

Q.—At which he was present ? A.—Yes

Q.—Did anything take place there then that you recollect ?

A.—Well I could'nt say at this date : I could'nt say now : I know that there were returning minutes that those Friends objected to, but it was carried right along.

Q.—That is for MacLean and Radcliff and Kenworthy? A.—Yes.

BY MR. BETHUNE.—Q.—Were you present at the time? A.—I was at the Monthly Meeting.

MR. MACLENNAN continues.

Q.—You were present when they got the return minutes? A.—Yes.

Q.—These return minutes are the opposed? A.—Yes,

COURT.—Q.—You were present at the Monthly Meeting when these were granted to them, but the 1210 grant of it was opposed?

A.—I was at the last Montly Meeting which Noah MacLean attended—which was supposed was going to be the last meeting he was going to hold, and I was there, and Friends thought to make a general objection to him, he preached what he called a farewell sermon and gave his Friends over into the hands of one of our ministers.

Q.—What was done with reference to the return minute?

A.—I spoke of this as being contrary to our principles—to give his Friends over into the hands of one of our ministers, a thing I never heard of before among Friends, and when it was found he was about leaving, our Friends sat quietly and thought we would let him go away peaceably without any stir, but 1220 his minute was objected to.

Q.—But he got a returning minute?

A.—He got returning minute, and the minute book don't show that there was any objection made.

Q.—You say he preached what was called a farewell sermon? A.—Yes.

Q. In your hearing? A.—Yes I was there.

Q.—Was that a usual thing? A.—Not a common thing among Friends.

Q.—In the course of that farewell sermon, you say he did something?

A.—Handed over his Friends to the care of Eliza Brewer.

Q.—Is she still a minister of the Plaintiffs section of the body? A.—Yes.

Q.—Was she present?

A.—Yes she she was ; he did it in this way—he told them that if they wished counsel, wanted encouragement or any help or anything of the kind, to go to the dear Friend that had just spoken, to the dear aged Friend that has just spoken and sit down ; she had just been acknowledging what he had said and had sat down ; that was the manner in which it was done, and she would call on them whatever they wished.

MR. BETHUNE—Who was it said that ? A.—Noah MacLean I am speaking of.

MR. McLENNAN continues—

Q.—You say you were at a Monthly Meeting at which Kenworthy was, were you ?

A.—Yes, I was there, but I can't remember anything particular concerning that.

Q.—Except that he got return minute also from the Monthly Meeting ?

1240

A.—Well, I don't know.

Q.—White says he did ?

A.—I don't seem to remember distinctly so much about Kenworthy.

Q.—Well, do you remember anyone else coming there ?

A.—Elwood Scott had been there prior to either of those, and taught the same doctrines and used the same practices.

Q.—Taught the same doctrines and used the same practices as the other men ?

A.—Yes he was the first to sow the seeds of discord that I remember of.

Q.—The first that introduced these new practices ? A.—Yes.

Q.—Do you know anything about revivals being introduced ?

1250

A.—He was the first to introduce those meetings.

Q.—He introduced revival meetings ? A.—Yes.

Q.—Was Scott kept there long ? A.—Well I really couldn't tell.

Q.—Some weeks ?

A.—Yes, but I couldn't tell whether it was three or six ; I couldn't say now.

Q.—And did he hold revival meetings ? A.—He did.

Q.—Is that in accordance with the ancient practice among Friends ?

A.—Not that I ever found, not that I ever read of.

Q.—And you believe it is not ?

A.—I believe it is not ; I believed so when I came among Friends ; had I believed in that system, I 1260 would have joined the Methodists, and I would have went with them.

Q.—Well after Scott and MacLean and Kenworthy do you remember others ?

A.—Several have been there this summer.

Q.—But before that ? I don't know, I don't just recall.

Q.—Do you remember a person by the name of Blackledge ? A.—Oh ! yes, indeed.

Q.—When was that ?

A.—He was there at the time of the Quarterly Meeting at which the separation took place.

Q.—He was there about the time that the separation took place ?

A.—He was there at that Quarterly Meeting.

Q.—In February '81 ? A.—Yes, when we closed the Quarterly Meeting books,

1270

Q.—What was the doing among the Friends at that time ?

A.—He was living in Canada on a new kind of minute—something altogether new—called a minute of sojourn or something of that kind, I think located at Yonge Street, if I am not mistaken.

Q.—Did he spend some time at West Lake ?

A.—I don't know how long he was there, he was there 2 or 3 weeks but I wouldn't be positive, I know he was at the Quarterly Meeting, and I know that he was at the Preparative Meeting.

Q.—Take part ? A.—Yes he took part I think.

Q.—Was he conducting revivals or holding meetings of any kind ?

A.—Well I don't attend any of his evening meetings, but my impression is that that was what he did.

Q.—Did he hold meetings ? A.—I think he did, some.

1280

Q.—And did he practice any new proceedings ?

A.—Well I wasn't at any of his evening meetings and I can't speak from personal knowledge.

Q.—Did you hear him speak ?

A.—I did, in the Quarterly, I heard him thank God for the great victory they had had the day before, when, after we had passed the discipline, their women Friends formed a new quarter, and I hear by what was read to-day from Stephen White that that meeting adopted that discipline ; it was not adopted in the regular Quarterly Meeting held under the book of '59.

COURT—What was the victory the preceeding day ? What was the victory ?

A.—There was no victory that any of us could know of except that they had gained the day as they thought in having the discipline ; I knew no other.

1290

Q.—That was what you understood him to mean ?

A.—Yes ; that was what was understood by us ; I knew nothing else.

COURT.—They said they had carried the new discipline ?

A.—Carried the new discipline over our heads.

Q.—Was it in the Quarterly Meeting he said that ?

A.—It was on the Thursday morning meeting for worship he said it ; there was a young man here at the same time made use of some terms in a prayer and Blackledge used those words standing, but they both used the same words.

Q.—Blackledge in making an address ? A.—Yes, in his address he said he thanked God—

COURT.—Did this take place at the Quarterly Meeting or the preparative meeting ?

1300

A.—At the Quarterly Meeting, the Quarterly Meeting is held on the first day ; the Meeting of Ministers is held on the 6th day ; it is known as Friday generally, and our Quarterly Meeting on the 7th day, and then our meetings for worship the first day, usually the first day in the forenoon at 11 o'clock.

MR. BETHUNE—This was at the Meeting for Worship ?

A.—At the Meeting for Worship the first day following what had taken place on the 7th day.

Q.—Quarterly meeting ?

A.—Yes close on the 7th day about 5 o'clock, and this was next morning at 11 o'clock.

Q.—This was an address he made then during the worship hour of the meeting ?

A.—Yes it was in his preaching : pretty soon as he rose to his feet.

Q.—Do you know how long he was at West Lake at that time ?

1310

.—I could'nt really state the length of time.

Q.—Some weeks ?

A.—I don't know : I could'nt say : I know he was there till after the trouble commenced, or rather after the house was granted to us : he was there at the meeting at which the house was granted to us : not the house, for I didn't ask for the house.

Q.—Did you hear him anything about the Silent Meeting of Friends ?

A.—Well I can't say that I remember it ; if he did I don't remember it ; there are many things that I heard that I didn't strive to remember it all ; my spirit was awfully wounded, and I tried to forget.

Q.—Is it in accordance with the ancient practice for Friends to speak in that way at meeting.

A.—I never knew such a thing done when I came among them.

1320

Q.—To make an address such as he made.

A.—The manner in which they did it in those days was—the friends were to be clothed with a spirit of humility and not to boast over another ; it was not thought proper that such a thing should be done even if they thought they had attained.

Q.—Then did you know a man named Luke Woodward ?

A.—Yes I know him—not intimately acquainted with him.

Q.—Does he belong to the Westlake meeting ? A.—He does not.

Q.—Was he accredited at any time to the Westlake ?

A.—I never have seen or heard the minute read ; it was called for but he didn't produce it.

Q.—Was he staying there for sometime ?

1330

A.—He was since last court : he has been there several times.

Q.—Do you know anything about him or his proceedings ?

A.—I believe I do a little.

Q.—Will you tell me what you know about his proceedings ?

A.—In relation especially to this meeting, or what I know of him.

Q.—Anything you know of him in Westlak ?

A.—He was there at the Monthly Meeting after we were all ruled back before.

Q.—19th April ? A.—Yes.

Q.—Do you know anything that he did, anything of his proceedings that were unusual and not in accordance with the friends practice ?

1340

A.—On that day he was there.

(Mr. BETHUNE objects, objection noted.)

Witness continues—He was there that day this was at a regular Monthly Meeting held at the time and hour under the regularly established discipline that we were ruled back to and I think he first read in the bible which Gilbert Jones objected to : after that he preached a very long sermon, and apparently after it ceased to be a sermon : he went into whole history of what was done in different Yearly Meetings, how they did this that and the other—I couldn't tell, go into the details of it—until the meeting became so unsettled and uneasy that an aged friend got up and asked him if what he was saying then he called gospel, and he stood right there and offered prayer standing : I want to know if thee calls it gospel, and he stood right there and offered prayer standing, an unusual thing for friends, and then went on again for a length of time : finally the meeting closed : and when the meeting closed their men came in on to our side, in and among the women, and the meeting house was very crowded: our men remained in the mens meeting to do business, and Luke Woodward came right over the partition on to the side on

1350

which I was sitting and a friend got up and gave her his seat: on the lower part of the Meeting House, the partition goes right clear to the floor, and therefore their members walked across into the women's meeting and their took seats, but Luke Woodward and Charles C. Bowerman came right over the partition into the women's meeting they being on the upper seats in the men's meeting : and took thir seats which was an unusual thing for ministers to do,

Q.—The ancient practice then was for the men and women to occupy separate apartments ?

A.—In doing business always, I never saw it done any other way.

1360

Q.—All your meetings are dual in their character or double ? A.—Yes.

Q.—The men's meeting and the women's meeting ? A.—Yes.

Q.—Does that apply to Worship Meetings as well ?

A.—We were then going on to have a Meeting of Business ; there is always a Meeting of Worship held first.

Q.—Does the general rule apply to Worship Meetings as well as to Business Meetings ?

A.—Have our sitting on opposite sides ? Yes ; always. I never saw it any other way except within the past few years and since these things began to creep into the society.

Q.—For the last few years has any change been made, been introduced, with reference to the separation of the sexes in Westlake ?

1370

A.—Well, not since we have been separated, not till since we have been separated from them.

Q.—Not till the time when you went apart ? A.—No.

Q.—But since then has a change been made by the Plaintiffs ?

A.—I find in being ruled back among them, that they held a joint session and had a woman for their clerk of their Monthly Meeting.

Q.—The ancient practice I believe in Preparative Meetings has been to open the shutters so to speak or the partition during the Worship Meetings ?

A.—Yes, except in the cases where very small and one side of the house would hold them, and in that case the men took one side of the aisle and the women the other.

Q.—You still kept up the separation ? A.—Yes.

1380

Q.—Do you recollect anything about the partition in this meeting-house its present condition ?

A.—I can't say that I do ; I don't know in what way you mean.

Q.—Is the partition kept up as formerly ?

A.—Why we keep it up ; our men folks always close it and do business separately themselves, our men folks do, but they don't, and they have objected to our men Friends closing it.

Q.—They keep the partitions open, and they object to the men Friends closing them ?

A.—Yes they do their business in joint session altogether.

Q.—Now do you know anything about the revival meetings ? What kind of practices are used at revival meetings and have been used in the last few years at those revival meetings that you speak of ?

A.—I have not been at any of them there at Westlake on account of knowing that the practices 1390 were so different.

Q.—You didn't attend any of them ? A.—I found they had mourners benches.

Q.—At any of the meetings at which you were present, were persons ever called on to speak or to relate their experience ?

A.—Yes, I have heard them, I have heard that done, but I couldn't now give the names of individuals, nor the time, because I didn't charge my mind with it.

Q.—When was that ? A.—Oh ! some 4 or 5 years ago.

Q.—Do you know of its having been done lately ?

A.—It has been done I believe, but I have not been present when it was done.

Q.—Not when you were present ? A.—No.

1400

COURT.

Q.—Was that in accordance with the ancient, the usual practice ? A.—No.

Q.—Were you ever present when the mourners bench was used ?

A.—No, I never went to any of these meetings where I expected these things would be carried on whatever, I felt I would have had to come out from those things, and I couldn't go back again into them.

Q.—Do you know anything about the employing ministers at stated salaries ? Has such a thing been done among you there at the West Lake so far as you know.

A.—I have understood the person that was at our monthly meeting was one of that sort.

Q.—Who was that ? A.—Luke Woodward.

Q.—How did you understand that ?

1410

A.—He has come on from another yearly meeting stationed at Toronto.

Q.—Did you hear from anybody or from himself, or was there any statement of that kind made in your meeting ?

A.—When I was out West last fall, a member of the monthly meeting of which he was a member, a member stated that he had called for a certificate to remove to Toronto for that purpose.

Q.—Now what is the practice with regard to holding business meetings between the men and women ? do they do their business separately ?

A.—They do separately, but each with the concurrence of the other, any particular business that comes in which both men and women are concerned, each meeting must have the concurrence of the other, the unity and concurrence of the other, but their business is done separately, entirely separately. 1420

Q.—Nothing of common interest can be done unless it is assented to by both.

MR. BETHUNE.—This matter is covered by the discipline.

COURT.—The question is as to the practices and the mode observed, an innovation might be shown by a practice, I suppose that it is intended to show that the practice of the Plaintiffs is in accordance with the discipline.

MR. MACLENNAN.

Q.—If there is any business of any interest they have to do it with ?

A.—It must be sent in by writing, signed by the clerk of whichever meeting it is sent from to the other, and then it is returned back to that meeting again.

Q.—Both meetings must concur in it ?

1430

A.—They must both concur in matters of any importance.

Q.—What was the practice as to the joint session ?

A.—I never had any experience, I witnessed that one Monthly Meeting day, 19th of 4th month.

Q.—You never knew of such a thing as a joint session except of that occasion ?

A.—They have held them since, but I didn't go in.

Q.—Previously according to the old practice ? A.—Not among us.

Q.—That was not an ancient practice to have joint sessions ?

A.—No not after the Women's Meeting were set up.

Q.—But lately the Plaintiffs you say, have been sitting in joint session and they have got a woman for a clerk ?

1440

A.—They had at the time I was present, 19th of the month—second day.

Q.—That is in this year ? A.—Yes.

Q.—What is the ancient practice with regard to the use of pulpits and reading desks ?

A.—I never saw any in a Friends Meeting house till within a few years.

Q.—Has such a thing been in use here ? A.—Westlake; in Westlake Quarterly, but there has been

no change made in our meeting-house as yet.

Q.—But you say in Westlake Quarterly ? A.—Yes.

Q.—When was that done ?

A.—One on the Meeting house belonging to the Quarterly had partition taken down, and a desk put in its place. 1450

MR. BETHUNE—We are not answerable for what a Quarterly Meeting may do.

MR. MCLENNAN continues—

Q.—Where has this change been made ? in what Meeting-house ?

A.—In the Monthly Meeting held at Farmersville.

Q.—Not in Bloomfield ? A.—No.

Q.—No change of that kind has been made in Bloomfield.

A.—Not in Bloomfield meeting house.

Q.—There is no reading desk and nothing in the shape of a pulpit ? A.—No.

Q.—Is there a platform of any kind ?

A.—No, just as it has always been, three seats that rise one above another. 1460

COURT.—There is no reading desk in the shape of a pulpit at Westlake ? A.—No.

Q.—Has there been any change introduced with regard to the appointment of elders ? A.—Yes.

Q.—When ? A.—By the new discipline, and that was why we objected to it.

Q.—Has any change been made in Westlake in the practice ? Have they changed their practice with regard to that ?

A.—Those that are under the new discipline have.

Q.—They appoint their elders under the new discipline ? A.—Yes.

Q.—What is the change in that respect ? A.—They are put in for three years.

Q.—Instead of for life ? A.—Put in by a committee I understood.

Q.—What committee ? A.—I couldn't go into particulars. 1470

Q.—What is the committee called ?

A.—They are appointed for the purpose of bringing forward the names of the elders.

MR. BETHUNE—The discipline provides for that.

COURT.—They are put in by a committee for three years under the new discipline instead of being for life or good behaviour ?

A.—Yes.

Q.—What you say then is that the ancient practice was to appoint the elders for life or good behaviour, but since then the Plaintiffs have been appointing their elders for three years ?

MR. BETHUNE—The book of discipline decides this, book of '59. The book of discipline of '59 does not provide for the tenure of the office ; the particular subject is dealt with in the discipline as to the appointment.

COURT.—I think if the discipline provides for it, it must be observed, and the discipline is the best evidence of what the practice of the body was.

MR. MACLENNAN continues—

Q.—Under the ancient practice was there such a thing as a pastoral committee ?

A.—I never knew it to be so.

Q.—You never knew of such a thing ? A.—No.

Q.—What has been done lately with regard to a pastoral committee ?

A.—I can't say : I thought the Court labored under a mistake : there are two Preparative Meetings belonging to every Quarterly Meeting : one is a Preparative Meeting of ministers and elders which do very different business from the Preparative Meeting that does Monthly Meeting business : I only wish to explain.

1490

Q.—I ask you what has been done lately by the pastoral committee ?

A.—Well that is more confined to this new discipline.

Q.—What has been done lately here with regard to a pastoral committee ? in the Westlake Monthly

A.—Really I can't say that I am posted in that.

Q.—You can't say what was to be done about that ?

A.—I don't know that I could say. just now : it don't seem to come to my mind.

Q.—Well you say regarding the ancient practice, there was no such thing as a pastoral committee appointed by the Yearly Meeting ?

A.—I never knew anything of the kind : I have known a visiting committee to be appointed which would be appointed to visit families and scattered meetings and such like, and report to the yearly meeting in what state and condition they found them ; but for a very different purpose from which this pastoral committee is appointed ; if I understand the services of this pastoral committee it is to appoint meetings and hold meetings.

1500

MR. BETHUNE.—That is covered by the discipline also.

MR. MACLENNAN continues :

Q.—The visiting of the committee of which you speak was for a totally different purpose, it was for visiting families ?

A.—Originally the last time I was clerk of the yearly meeting the pastoral committee was appointed and I found that they put on members on this Pastoral Committee to hold these Meetings that were not ministers, and were only private members of the body.

1510

COURT.—At the last Yearly Meeting ?

A.—The last Yearly Meeting on which I was clerk in that body ?

Q.—I want to ask you something about the new doctrines that have been introduced among friends in late years Do you know anything about a doctrine such as this, that Christ finished the work of man's salvation on the cross on Calvary, and therefore it is only necessary that a man believe that fact to be saved—do you know of that doctrine being preached among friends ?

A.—Yes.

MR. BETHUNE.—I object to that because that is too wide : we have nothing to do with what friends generally may do.

WITNESS.—Yes I have heard that preached in Westlake, at the Bloomfield meeting.

1520

Q.—By whom ?

A.—I have heard Robert Saylor advance that, though he was not a minister.

Q.—Anyone else ? A.—Charles C. Bowerman.

Q.—Anyone else ?

MR. BETHUNE.—I object also to that being proved ; I ask that my learned friend should prove the very language of what was preached, and I also object the question is leading ; the Court is to decide what the doctrine is from the language used ; the very words must I think be proved.

COURT.—I think if that rule is to be observed it would be impossible to prove anything ; I agree there ought to be the most specific determination of the meaning used at all events, though I don't think it is confined to the very words ; this general sort of evidence may be admissible in the first instance, but cross-examination may weaken it ; I don't think it is necessary that all that was said or that the very language that was used, was said, if the equivalent language is proved it is only necessary to say that doctrine was, although not able to say the precise terms in which it was, taught : I think I will better attain the ends of justice by taking the evidence subject to the objection. I think the question is leading.

MR. MACLENNAN continues—

Q.—You said that you heard that doctrine preached in Westlake ?

A.—Yes by our own members and by minister coming amongst us ; it was first taught by ministers coming amongst us.

Q.—Can you name any of them ? A.—Elwood Scott taught that doctrine.

1540

Q.—Anyone else ? A.—I think most of those others.

Q.—And some of your own people ?

A.—Our own members that I have named, and others that I couldn't name. I named Robert Saylor and Charles C. Bowerman as teaching that doctrine.

Q.—Are they among the Plaintiffs who are not associating with you now ?

A.—Yes, they are Plaintiffs ; both of them, I think their name is amongst the Plaintiffs.

Q.—Has Robert Saylor gone with your part of the body ? A.—No.

Q.—He remains with the other ?

A.—Yes ; and Charles Bowerman is with that body.

Q.—These two still remain with them ? A.—Yes.

1550

Q.—Are they elders ?

A.—Well, I think I heard Charles G. Bowerman is an elder among them I believe : he was when he went from us.

Q.—You don't know whether Robert Saylor is or not ?

A.—I couldn't be positive about Saylor.

Q.—Now is that one of the ancient doctrines of Friends ?

A.—I never heard it so taught till within a few years.

Q.—What was the doctrine of Friends on that subject ?

A.—Why the doctrine that I ever heard taught amongst Friends. was that first the blade, and then the ear, and then the full corn in the ear, or the new birth by the workings of the spirit in the heart of 1560 man, blinging him to repentance and a thorough change of life, and then of a growth in grace.

Q.—Have you heard any new doctrine preached on the subject of faith ? A.—Yes I have.

Q.—What have you heard ? What new doctrine have you heard on that subject ?

A.—Well I don't know as I would be able to explain it thoroughly ; the understanding that I took of it as I have it heard at different times by them, was—the old doctrine was that faith was the substance of things hoped for and the evidence of things not seen ; it was faith in the soul of the believer, that was the anchor, faith in God and in the atonement of His Son.

Q.—And what different doctrines have you heard preached.

A.—That if we believe and have faith in God, that having once called themselves saved, they are saved; as it were, forever is the some of the doctrine I have heard taught, that God would so keep them : 1570 if they had faith in Christ and believed that they were saved, he would so keep them : that they could not fall.

Q.—And the ancient doctrine of Friends you say was ?

A.—That if they were unwatchful and unprayerful that they could fall : that it was our duty to press forward to perfection, to obtain if possible through Christ strengthenings who was able to do all things but that it were possible to fall from that, by unwatchfulness and unfaithfulness.

Q.—Have you heard any doctrine preached with reference to how faith arises ?

A.—I could'nt go into the particulars off that I don't think I could'nt go into the particulars of that to tell just how they taught it : I have heard it taught but I wouldn't feel like going into the particulars of that. 1580

Q.—Have you heard any doctrine preached with reference to what constitutes a believer in Christ ? what constitutes a christian ?

A.—Only believe, they tell us, and say that we know our sin is forgiven, and we are saved.

Q.—Only believe what ?

A.—Believe that Christ died for us and that our sins are forgiven, and we are saved.

Q.—That simply belief in Christ's death ? A.—Could save them at any moment.

Q.—And forgiveness of sins is that all that is requisite to a Christian ?

A.—That is what has been taught in our meetings.

Q.—What was the ancient doctrine of Friends in regard to that subject.

A.—Why the thorough change of heart first by repentance : we must first know of our sorrow for 1590 sin and we believe that the spirit of the Lord works upon the heart and produces sorrow for sin, and shows us the end of a Saviour and when we are brought to feel that we are thus a sinner and that Christ by His own precious blood has bought us with the price thereof, that he is the only propitiatory sacrifice between God and man and believe that he has removed our sins which the heart will feel for itself, that the workings of the spirit in the soul will not only produce regeneration and the new birth, in the belief that through Christ's atonement we are saved, that he is the one living sacrifice between God and man—then, we feel that such an individual is born again.

Q.—And has become a christian ?

A.—Is a babe in Christ, but there is a growth to grow on : we don't think that he has attained to perfection at that state : there is still a work to go on in that soul. 1600

Q.—And the new doctrine is that you simply believe in Christ's death and in the forgiveness of sins is sufficient ?

A.—It would seem to put the babe in Christ equal to those that were his pillars in his house—the new doctrine would, while the old admitted it was first : the babe, then the young man and then the strong man in the Lord : the differences of taking in members was very different in that respect.

Q.—Do I understand you to say it is a new doctrine then with regard to the simple belief in the death of Christ ?

A.—If they would say that they believed in the death of Christ and that he was the atonement, and their sins were forgiven, though Him, that they were God-saved people God-saved children, and they have been told that frequently : they have been told that they could know that any moment any hour that 1610 they could come to Thee that they could say that.

Q.—And that, you say was not the ancient belief or doctrine ? A.—No.

Q.—Is that doctrine called by any particular short name that you recollect ?

A.—It don't come to my memory now.

Q.—Have you heard such a thing as instantaneous conversion ?

A.—Yes they believe in that.

Q.—Do you know what that means ?

A.—Converted instantly and that was the doctrine they taught: I have heard them say they could be converted before they would go out of that house : they could be God-saved children which would mean an instantaneous conversion.

1620

Q.—And you have heard that doctrine taught at Westlake ?

A.—Yes I have—no unusual thing to hear it taught.

Q.—Well is that one of the ancient doctrines of Friends ?

A.—I have not so learned Christ nor not so heard it taught by Friends.

Q.—And never so taught yourself ? A. Never so taught myself.

Q.—And you never did teach yourself ?

A.—I never felt at liberty to teach so : nor didn't understand it so by reading the scriptures.

Q.—Whom have you heard teaching that doctrine ?

A.—Several of our members, but I could'nt name them all now.

Q.—Name some of them if you please ?

1630

A.—Well I have a few times heard Eliza Brewer say that they could never be saved before they

would leave the house, she didn't use to say so.

Q.—Anyone else ? A.—Charles Gideon Bowerman.

Q.—Anyone else ?

A.—I couldn't give the names of others : some of these things were quite common amongst us and we didn't take notes of it.

Q.—Are these that you have named some adherents of the Plaintiff's Meeting ?

A.—All of them that I have named.

Q.—Has any new doctrine been taught with regard to the Holy Spirit ? A.—Yes.

What ?

1640

A.—I have heard it taught that all that we knew of revelations or the teachings of the Holy Spirit was by and through the bible—the scriptures.

Q.—What is the ancient doctrine on that subject ?

A.—The society of Friends believe that the scriptures were written by inspiration given to men of old by the Lord, and that it was the Holy Spirit and therefore we considered the Holy Spirit before the scriptures in that respect, that it is the Holy Spirit which works in man that brings him to see that he is a sinner in need of a Saviour.

Q.—The ancient doctrine is then that the Holy Spirit works in ?

A.—In the heart of the sinner.

Q.—And the new doctrine ?

1650

A.—Is that it does not, till after conversion : at least it has been so taught by some ; I don't say that they all teach these doctrines because I found some would teach one doctrine and some another:

Q.—It has been so taught in Westlake ? A.—Yes.

Q.—By some of those persons that you named ? A.—Yes.

Q.—Which of them ?

A.—Charles G. Bowerman ; the others were neither ministers or elders ; Charles G. Bowerman taught it at different times.

Q.—And did the meeting take any steps in consequence of these proceedings ?

A.—They did in the case of Charles G. Bowerman ; the others were neither ministers or elders, except Eliza Brewer, and she didn't go into that.

1660

Q.—What was done with regard to Bowerman for that preaching ?

A.—The meeting of ministers and elders took their consideration.

Q.—What did they do ?

A.—There is where the labor is bestowed ; they took it under consideration the propriety of letting him down from being an elder, as they considered he had lost his usefulness and acted contrary to the discipline and stayed through the meetings and fought his way through and remained and labored by some two or three others helping his case through.

Q.—They stood by him ? A.—Yes, a thing I never knew before.

MR. BETHUNE—There is a record in the minutes

WITNESS—A very brief one I think ; but our record didn't always show what took place in the 1670 meetings.

MR. MACLENNAN continues—

Q.—There is merely a record of the result ? A.—Yes that is all.

Q.—When was that.

A.—I was thinking whether I could give the exact time ; I don't know that I could ; the book would show ; I don't think I could give the exact time.

Q.—Can you tell us where the record is ? A.—I really can't.

Q.—What meeting was it in ?

A.—Westlake Preparative meeting of ten ministers and elders.

Q.—What year ?

1680

A.—I don't know that I could give the exact year—a few years ago perhaps ; the books will show but I couldn't give the year I don't think.

JOHN DORLAND, sworn for Defendants, testified as follows :—

BY MR. MACLENNAN—

Q.—Are you recorder at the Westlake Monthly Meeting ? A.—Yes.

Q.—With which the Plaintiffs are in accord ? A.—Yes.

Q.—Have you got the records ?

A.—I presume I had, I haven't any catalogue of them ; I never made a regular minute of books I had in my possession, but when I was subpoenaed to attend the Court in Picton before the master I produced all the books that had any reference to these records of the meetings.

1690

Q.—Do you know where the book is then ? A.—I don't.

Q.—You have produced all you have ? A.—All I have I have produced.

Q.—And you don't know whether you ever had this? A.—I don't.

Q.—But you took pains to get all the books that belonged to the body?

A.—I suppose the old recorder gave me all the books he had in his possession, all he had in his possession—William Garrott.

Q.—You suppose you had all? A.—I suppose so, yes.

BY MR. BETHUNE—

Q.—Do you know whether you have the record of the books called meeting of ministers and elders?

A.—I didn't know; I don't know that I ever had that?

1700

Q.—When was it you got these books that you did produced from Mr. Garratt the former recorder at what time?

A.—I couldn't tell the exact time? I should think about four years ago.

Q.—Then you don't know whether you had the record which was made of the way in which the meeting of Ministers and Elders dealt with Mr. Bowerman's case?

A.—I don't, I never saw it.

Q.—Were you a Minister or an Elder yourself? A.—No, neither.

BY MR. MACLENNAN:

Q.—William Garrot gave you all the books he had?

A.—He brought me all the books, I didn't ask him particularly, I suppose he did, he was an old man and said he would resign at the Monthly Meeting then as a whole, there was no separation at that time, and they appointed me to take the books, and when I was subpoenaed to the Court before the Master in Chancery, I produced all the books that I had.

MR. MACLENNAN now asks Mr. Bethune if he has it and he replies he has not.

BY MR. BETHUNE.

Q.—Did you get any records among those given to you of the Ministers, of the meeting of the Ministers and Elders?

A.—I am not aware that I did, I don't think that I did.

Examination of ELIZA VARNEY resumed by Mr. Bethune.

Q.—Who has the record of the books of the meeting of Ministers and Elders?

1720

A.—The meeting of Ministers and Elders would be recorded by the clerk.

Q.—Of that meeting?

A.—Yes, John Dorland would not have that book in his hands unless the book was full, it is only old

... it might be necessary
that this end is usually made in his

BY MR. MAGNAN

Q--What is the law in this

BY MR. MAGNAN

IN THE COURT

Q--Have you this book?

A--It is in my possession I suppose, but in the library

Q--This is the representative of the interest and others in

(suppose it is in my hands)

Perhaps with in the room

Q--It is here? A--I didn't

Q--It is here? A--Not in my hands

BY MR. MAGNAN

Looks if I understand aright, consequently the book may be with Anthony Haight, Clerk, he was Clerk at that time and it possibly may be in his possession.

BY MR. MACLENNAN.

Q.—Is he Clerk still ? A.—I don't know, he is with the other body.

MR. DORLAND RECALLED.

Q.—Who is Clerk now ? Mr. Dorland ? of the meeting of the Ministers and Elders ?

A.—I don't know exactly who is, it appears to me Charles G. Bowerman is, I think it is Charles G. Bowerman, Clerk of the Ministers and Elders now.

BY MR. BETHUNE.

Q.—Each committee appoints its own Clerk ? A.—Yes.

BY MR. MACLENNAN—

MR. BOWERMAN recalled.

Q.—Have you this book ?

A.—It is in my possession I suppose : that is, the Preparative Meeting.

Q.—This is the Preparative Meeting of ministers and elders have you got that book ?

A.—I suppose it is in my House.

Q.—You are one of the Plaintiffs are'nt you in this case ?

1740

A.—No I think not : I am not aware that I stand in the books in that shape.

Q.—When did you see this book ? A.—I saw it not long ago.

Q.—When ? A.—Perhaps within two weeks.

Q.—Did you bring it here ? A.—I didn't.

Q.—It is not here ? A.—Not that I am aware of : I left it at home.

Q.—You didn't give it to your solicitor ? A.—No I didn't know it was required.

Examination of ELIZA VARNEY (resumed.)

BY MR. MACLENNAN—

Q.—He was at all events an elder ? A.—Yes.

Q.—Is he an elder still ? A.—He was at the time the separation took place.

1750

Q.—This same gentleman who was proceeded against for that doctrine ? A.—Yes.

Q.—How long before the separation did that take place, that preaching ?

A.—Perhaps two years : I couldn't be positive just at the time.

Q.—Did he continue to be an elder after that ? A.—Yes.

Q.—And continue to discharge the duties of an elder : Did he continue to preach after that ?

A.—He was given more to preaching than he was to the duties of an elder I think.

Q.—Did he preach after that occasion ? A.—Yes a good deal.

Q.—Did you hear him preach the same doctrines afterwards to any time ?

A.—Well he didn't come out so plain at other times as he did just at that time : though I think once since the court, he touched very nearly on it : I couldn't give the exact words. 1760

Q.—Did you hear anybody else preaching that doctrine ?

A.—I couldn't now name them.

Q.—With regard to the Holy Spirit ?

A.—I have heard strangers preach it, but as to our own particular members, I couldn't.—

Q.—Taught distinctly ? A.—Yes.

Q.—Was anything done to stop it ?

A.—I can't say how far our elders may have labored : I know their elders were sometimes rejected : —their labors rather.

Q.—You can't say whether they did anything ?

A.—I can't say because it is not expected that ministers know always what elders do. 1770

Q.—Were any of these strangers who preached these doctrines disowned or sent away in consequence ?

A.—No because the Society had got into such a state that the others had power in their hands.

Q.—What was done—and not the reasons I ask you ? Were any of them sent away ?

A.—No, not sent away.

Q.—Or proceeded against it in any way in consequence ?

A.—I would not like to be positive about that.

COURT—Q.—I understand you to say you did not know any steps taken against them ?

A.—It was not so at that time that I could always attend meetings : there was a great deal of sick-

ness in my family, and I wasn't able to be out, so that I didn't know what was done.

1780

MR. MACLENNAN here cross examines

MR. CHARLES G. BOWERMAN not sworn,

Q.—Then you have the new one ?

A.—The new one I left at home, but that has no account of this affair at all.

Q.—Where is the old one ? A.—I am told it is here, but it isn't.

Q.—Had you it ? A.—I never had it : the former clerk had it.

Q.—Don't you know that when the book is full it goes to the recorder ?

A.—We are not always careful to—

Q.—Is't that the proper course ? A.—I suppose it is.

ELIZA VARNEY, resumed—

1790

BY MR. MACLENNAN —

Q.—Have you heard any new doctrines preached on the subject of repentance ? A.—Simply a turning around.

Q.—What have you heard ?

A.—That is what I have heard them preach—simply a turning around, the doctrine was not to repent of their sins, but simply a turning around and forsaking their sins.

Q.—What is the old doctrine ?

A.—Why, that they must repent of their sins, first see that they were a sinner and then repent of them with godly sorrow working repentance not to be repented of, is the doctrine that has always been held to by Friends: they were to see that they were sinners and repent of their sins.

1800

Q.—Whom have you heard preach that doctrine ?

A.—Well I have heard it preached repeatedly in our meetings, but I never charged my mind with it because we had become accustomed to hearing them teaching it : it was brought first by strangers amongst us, and I first heard it taught by our own members William Wetherall at a Yearly Meeting where I first heard it : that is, by our own members : I had heard it elsewhere in other Yearly Meetings.

Q.—And in Westlake ?

A.—And in Westlake by strangers, but it was afterwards taught and adopted by our own members.

Q.—What strangers ? A.—Well Elwood Scott taught that doctrine.

Q.—Anyone else ?

1810

A.—I would not be certain by Maclean or Kenworthy because I was not present at their Meetings.

COURT—Q.—Where did you hear William Wetherall teach that ?

A.—At the Canada Yearly Meeting.

Q.—Does Wetherall belong to you ?

A.—Not at the present time : he did at that time : he was a recorded Minister amongst us.

Q.—Were any steps taken against him for that doctrine ?

A.—I really can't tell : he didn't belong to the Quarterly Meeting of which I am a member.

Q. Anyone else ; Blackledge ?

A.—I couldn't say positively : most generally at that, we generally looked for that doctrine to be taught by them. 1820

Q.—You went on to say that it was subsequently adopted ?

A.—It was considered as one of their permanent doctrines : so considered by us.

Q.—Of whose permanent doctrines ? A.—The Plaintiff's.

Q.—Have you heard it since that time preached in Westlake ?

A.—Yes I have heard it since that time ; I have heard it different times since that time.

Q.—Preached in Westlake ? A.—Yes but I couldn't give the day nor date.

Q.—Have you heard of any preaching or teaching on the subject of a new birth that was different from the ancient ?

A.—I don't think I could particularise it just at this moment.

Q.—Or of the work of the Holy Spirit in the heart ?

1830

A.—Why thee teach that the Holy Spirit didn't affect the heart of the sinner till after conversion.

Q.—Have you heard any new doctrine on the question on the subject of Christs second appearance ?

A.—Yes I have heard that doctrine taught, that as to the second appearance of Christ : He is coming in person coming on the earth.

Q.—And what is the doctrine of the Friends on the subject ?

A.—They believe in the second appearance of Christ in the soul, in the heart that he comes, the light of Christ in the soul is the second appearance of Christ ; that is the way the Friends believed it, and the way I always was taught.

Q.—Not a personal appearance ?

A.—No, not personally that He came, in a way that when he said he would send a promised Com- 1840

Q- In the event of the election?

Q- When?

A- I don't know, but I think it will be soon.

Q- Has the other candidate been elected since then?

A- By our party in that way, and going in that way, while the other party

Q- The old party still holds to the old doctrine?

A- Yes, that is the way we have it.

Q- Has there been any doubt?

A- Not in regard to the authority of the script.

Q- At this moment, would you say: another time is right?

A- I don't know, but at this moment I don't think so.

Q- But?

A- The question is, is it that we

that we know through the scriptures?

Q- Is the authority of the scriptures?

A- Yes, the authority of the scriptures is

Q- Is that?

A- Yes, I would say so.

forter, that was the second coming of Christ.

Q.—The Friends believe the second coming is in the heart of the sinner ?

A.—In the heart of the sinner, yes ; that He comes by the spirit ; Christ's spiritual appearance in the soul.

Q.—Do you say you have heard that preached in Westlake, that doctrine ?

A.—Yes, I have always heard it taught there, when I first joined the Society.

COURT—Always taught the old doctrine ?

A.—The old doctrine that Christ made his appearance in the soul.

Q.—That was always taught ? A.—Always taught.

Q.—Until when ?

1850

A.—Until within these last few years, till these new doctrines came in among us.

Q.—Has the other doctrine been taught since then ?

A.—By our believing in that way, and going in that way, while the other party still held to the old way, the old doctrine.

Q.—The old party still held to the old doctrine and the Plaintiffs adhere to the new ?

A.—Yes, that is the way we have always understood it.

Q.—Has there been any doctrine with regard to the scriptures, the authority of the scriptures, any different doctrine with regard to the authority of the scriptures that has been taught lately ?

A.—I can't at this moment recall just now ; another time it might come fresh to my mind, to my remembrance, but just at this moment I don't just recall, others have been put instead of Christ in the 1860 soul instead of the Holy Spirit.

Q.—State what it is again ?

A.—The Friends stated that all that we knew of revelation or of the teaching of the Holy Spirit, was what we knew through the scriptures : I have stated that before.

Q.—But with regard to the authority of the scriptures, how high the authority of the scriptures stand, how the authority of the scriptures compares with the authority of the Spirit ?

A.—Why I can tell what Friends believe, they believe they were given forth by inspiration, by God through holy men of old, and written for our instruction and direction and proof.

Q.—You told us that before ? A.—Yes.

Q.—What I want to get at is, whether there was any particular doctrins with regard to the rank 1870

which the scriptures hold as compared with the Holy spirit, as matters of authority ?

1880

A.—I don't know that I am posted with regard to their views in that matter: I know that Friends have always held the scriptures very sacred and believed in them to the fullest extent, always encouraged their members to read them.

Q.—Has there been any new doctrine with regard to the scriptures and as regards inspiration ?

A.—It don't come to my remembrance just now.

Q.—Now what was the old doctrine with regard to meeting ; the conduct of meetings as regards speech or silence or manner of worship ?

A.—When we would come together for worship, we would reverently sit down in silence waiting upon the Lord.

MR. BETHUNE—That is governed by the discipline.

1890

WITNESS—Our custom at the time of my joining the society and up to within a few years was reverently to come together to wait upon the Lord and sit down in solemn silence with the mind turned inward to him,

Q.—Waiting for what ?

A.—Waiting for his Holy Spirit to direct us what was our right and proper course whether it was prayer or praise or whatever might be required.

Q.—Has there been any change in the teaching with regard to that subject lately--as as to the necessity for waiting for the spirit or the inspiration of the spirit ?

A,—I heard Amos Kenworthy say that he thanked God he didn't have to wait for the anointing of the spirit, that he was always full and ready that one anointing was sufficient while the Friends believed 1900 that we needed a fresh baptism every time we came together—the old teaching: and the new was that one anointing one call to the ministry and one anointing was sufficient, that the Spirit of the Lord they were so full of, they were ready to preach at any time.

Q.—Without waiting for inspiration on each occasion ? A.—Yes.

Q.—Where did you hear him preach that ?

A.—At Westlake Meeting-house ; he walked up the aisle and had his overcoat on his arm, and laid it on a box and never sat down and went right to preaching.

Q.—And that is one of the things he said ? A.—Yes.

Q.—Was anything done in consequence of that declaration of his ?

A,—That I can't tell ; it belonged to the Elders to look after that.

1910

Q.—Have you heard that doctrine preached on any other occasion in Westlake ?

A.—Yes I have heard it preached by strangers that have come there but don't know that I could name them now individually ; I have heard it in other Yearly Meetings; and I have heard it in the Canada Yearly Meetings when strangers come among us.

Q.—Have you seen it practised on other occasions ?

A.—Yes, repeatedly since our meetings—as soon as our meetings would sit someone would begin to speak at once, and keep on till the meeting would be done ; I have been in meetings where there would not perhrps be 5 minutes silence in the whole—either reading or preaching or something going on.

Q.—I believe you were at the Yearly Meeting in '80 ? A.—I was.

Q.—Were you present when the new discipline was brought up ? A.—I was.

1920

Q.—In which meeting was that ?

A.—It was in a joint meeting for that purpose seeing that both meetings were to act upon it ; occasionally Yearly Meetings act in joint session in business in that way, so as not to take up too much time.

Q.—Who were the parties joined together ?

A.—The shutters were raised—men and women Friends.

Q.—Where was this.

A.—At Pickering Yearly Meeting, the year the Meeting was was established, the Yearly meeting house.

Q.—It was held in the Yearly meeting-house ? A.—Yes.

1930

Q.—This building in which they met, this meeting-house in which they met, how had it been acquired, do you remember ?

A.—Yes, the money was raised by the different Quarterly Meetings and the house was built.

Q.—For what ? A.—For the express purpose for holding the Yearly Meeting in.

Q.—There was land got and a house built on purpose for holding the Yearly Meeting, and that is where the Yearly Meeting was held in '80.

A.—The house was built on the land where the Pickering Monthly Meeting property was and was afterwards acquired for the Yearly Meeting.

Q.—And that was acquired for the Yearly Meeting ?

A.—Yes, but it was understood it should be required for the Yearly Meeting when the house should be built, and the deed was not given till afterwards.

Q.—Where was the Yearly Meeting always held from the time it was first established ?

A.—Always held there up to that time.

Q - The record is correct, is it not?
A - Yes, it is correct.
Q - Now, what is the name of the person who was with you at the time of the shooting?

A - The name of the person who was with me at the time of the shooting is John Doe.

Q - Now, what is the name of the person who was with you at the time of the shooting?

A - Yes, it is correct.

Q - Now, what is the name of the person who was with you at the time of the shooting?

A - Yes, it is correct.

Q.—And then you were aware of proceedings that were taken in the Yearly Meeting with reference to this discipline ?

A.—I was.

Q.—Was there any opposition to it ?

MR. BETHUNE.—The record is conclusive as to that, and the record is in, showing that the new constitution was adopted.

MR. MACLENNAN.—We intend to show that that record is not conclusive and that it is erroneous. 1950

MR. BETHUNE.—I submit the record is unimpeachable.

COURT.—No case is made for showing that on the pleadings.

MR. MACLENNAN.—There was no unanimity, and the Clerk made an erroneous statement of the conclusion of the meeting, if necessary I ask leave to amend attacking the record.

Amendment is accordingly made as asked, that the new constitution was not really adopted at the Yearly Meeting so as to bind the minority, and unanimity was required to make it so.

Mr. MacLennan continues examination.

Q.—You were present during what took place at that meeting with reference to the new discipline ?

A.—I was.

Q.—Was there any opposition to it ? A.—Yes, there was a great deal of opposition to it. 1960

Q.—You yourself had been Clerk of the Yearly Meeting for a great many years ? A.—11 years.

Q.—And were you yourself opposed to it ? A.—I was.

Q.—And made known your opposition ? A.—I did, different times.

COURT.

Q.—Publicly in these meetings ? A.—Yes in these meetings.

Q.—Were there other members who did the same ? A.—There were.

Q.—Can you name some of them ?

A.—Mary Anne Valentine, a minister, for one, and indeed I may say all our members that were present.

Q.—How do you mean by all your members ? 1970

A.—I mean all our select members, and Jane Macoll an Elder.

Q.—You are speaking of the Womens Meeting now are you ? A.—We were in joint session.

Q.—And among your women what was their feeling ?

A.—Well it came to the meeting jointly.

Q.—Among your women what was the opinion as to such,— the general opinion ?

A.—I should think that more than half the women were against it.

Q.—And declared themselves so ?

A.—Yes, openly and specially, and many of the young also objected to it going forward at that time, it was not coming in in the proper course.

Q.—And among the men ? A.—The men first gave their voices.

1980

Q.—Who of the men were opposed to it that you remember ?

A.—I couldn't particularise the men but my impression was that they stood nearly—well I should think they were not quite half and half on the men's side, but more than half and half on the women's side.

Q.—Half and half on the men's side and more than half on the womens' side against it

A.—Yes that was the impression I received as I looked over the meeting to get the voice of the Meeting.

Q.—Was there a show of hands at any time ?

A.—Yes the first time I ever witnessed such a scene was called for there.

Q.—The first time you ever witnessed such a thing in a Friends' Meeting ?

1990

Q.—Yes, in Canada.

Q.—Is that contrary to the ancient practice ? A.—Altogether.

COURT.—You say a show of hands was the first called for ; was that that the way in which the decision of the meeting was arrived at ?

A.—No, there were two things brought under consideration first : I would not be positive which of the two ; one was whether the discipline should be read or not in that meeting as it had never gone down to the meetings as it should have done.

COURT.—To the Monthly Meeting and the Quarterly ?

A.—It should have gone down to the Monthly Meeting and the Quarterly Meeting and families in some way, to our members at home, and it didn't.

2000

Q.—You objected that you had no opportunity of considering it in the Quarterly and Monthly Meetings, that it hadn't gone down ?

A.—The discipline was held up and we were asked whether if we accepted that discipline as the discipline of Canada Yearly Meeting.

Q.—The book itself was held up ? A.—Yes.

Q.—Printed book was it ?

A.—Yes. when it came time for the women to speak—as I said, the men gave their voices first, and when it came time for the women to speak, I was one among the first to rise and say I must object to receiving any book or law ; I was unwilling to live under a book or law that I knew nothing of, and I knew not what was in that book ; therefore I couldn't unite with the reception of it ; I thought as representatives to that Yearly Meeting we ought'nt to be willing to receive a book that our Friends at home knew nothing of. 2010

Q.—And did you withdraw your opposition at any time ? A.—Not at all.

Q.—Or any of the Friends that were opposed to it ? A.—Not that I know of.

Q.—And in spite of that, the Clerk I believe recorded it as adopted as the judgment of the meeting, did he ?

A.—Perhaps I could explain it better ; the men's Clerk—remember both Clerks were acting together and the men's Clerk says, says he, "Friends, I am a loss to know what minute, what kind of a minute to make."

COURT—Who was the Clerk ?

2020

A.—I think Howard Nicholson ; he was a stranger to me ; I am not positive ; the minutes will show, he belonged to some of the other Quarterly Meetings remote from this, and then the meeting requested that the women's Clerk should go and sit with him, and after they had conferred together some few minutes, I couldn't say 5 or 15, I couldn't define it then the minute was made that it was adopted.

Q.—Now was there anything said about speaking on the subject.

A.—The last day, we were confined to speaking but the once a thing I never knew.

Q.—Who confined you to that ? A.—The clerk of the men's meeting.

Q.—He said nobody should speak on it but once ?

A.—Yes ; and I never knew such an instance before.

2030

Q.—Was that an entirely new thing at Friends Meeting ? A.—Yes.

Q.—To restrict any person to speaking once ? A.—Yes several were told to sit down.

Q.—Several were told to sit down when they got up to speak ?

A.—Yes, one aged father sought and pleaded that he might speak as it was gospel that he wished to give utterance to.

COURT.—That was before the adoption ? A.—Yes, before the closing minute that was.

Q.—Before the minute was made ? A.—Yes.

...the ...
...it was ...
...and that ...
...were of a ...
...there were ...
...they appear ...
...This was ...

Q.—And that is the way in which the minute was made ? A.—Yes.

Q.—Now what was the character and standing of those who were opposed to the new discipline ?

A.—They were principally the older Friends and those that were as the heads of the meeting when 2040 the meeting was established.

Q.—Occupying the position of ministers and elders ?

A.—Ministers and elders, with the exception that some of the younger Friends concerned gave in their voices likewise : we simply asked for it to be sent down.

Q.—Now I want to ask you as you were clerk so long, what the ancient practice requires in regard to adopting any matter that is before the meeting ?

A.—As I always understood it, as clerk at the time, what little knowledge I have had of these things was that it was expected that the clerk keep watch over the meeting and who spoke the business and that when weighty and concerned Friends those of religious experience whose life and conversation were of a godly character, speak to business they were considered to kneel—in fact, many years ago 2050 there were very few aged that spoke to business, they looked to the Fathers and Mothers to do it, but latterly it has passed doing it out of their hands, and the younger ones have taken it into theirs, and if they approve of it.

Q.—What was required in order to carry it ? A.—Why, unity was required.

COURT.—Does that mean unanimity ?

A.—As a general rule, if one Friend raises a reasonable objection, it would lay over, formerly when I first joined the society that was the way.

Q.—That was the practice down to the time of that meeting ?

A.—Always expected to see it so, that was our expectation.

Q.—Now, had this matter up to that time been before any of the other meetings of your society, 2060 the discipline ?

A.—It had never been before the West Lake Meeting.

Q.—Either the Monthly Meeting or the Quarterly Meeting or any of them ? A.—No, in no way.

Q.—Had it ever been discussed at any of them ? A.—No.

Q.—The other meetings never had any opportunity of discussing, of considering or discussing it ?

A.—No, I think the proposition came for the change in the discipline from Norwich in the Yearly Meeting, I understood.

Q.—You think the proposition to make a change in the discipline came from Norwich ?

A.—I think so, it would be known as Pelham Quarterly, I suppose.

Q.—That is the meeting known as the Pelham Quarterly Meeting ? A.—Yes.

2070

Q.—Then did it come before the Quarterly Meeting after that ?

A.—I don't know that, what they did with it up there.

Q.—I am not speaking of up there after it passed the Yearly ; what was done, was it sent down anywhere?

A.—Yes, it was sent down ; it was to take effect in the first month ; the Quarterly Meeting held on the first month was when it was first to take effect there ; it was to be received there, I should say, at that time.

Q.—Was it sent down to the Quarterly Meeting ? A.—It was.

Q.—And considered there ? A.—It was considered there.

Q.—Were you at the Quarterly Meeting ? A.—I was.

2080

Q.—And the Womens Meeting ? A.—I was Assistant Clerk in the Womens Meeting.

COURT.—That is the Quarterly West Lake ? A.—Yes.

MR. BETHUNE.—I object to evidence of what the Quarterly Meeting may have done as immaterial, what the Yearly Meeting says is binding on the Quarterly Meeting itself.

(Objection noted and evidence received.)

Mr. MacLennan continues.

Q.—Have you got the minute book ? A.—It was here yesterday, it is marked "D" I think.

Q.—Do you remember what was the date of that meeting ?

A.—The first meeting of the second month I think.

Q.—This is the minute book of that Meeting ?

2090

A.—Yes, page 13 "B. I." "the subject of the discipline having come before us, after a time of discussion this meeting is not united to adopt it, and the meeting closes."

Q.—This is the record of the Womens Meeting ? A.—Yes.

COURT.—Was this the second Quarterly Meeting ?

A.—The second Quarterly Meeting.

Mr. MacLennan now puts in the Men's Quarterly Meeting record page 30, 5th Feb. '81, the same day as the women's, marked "C. I." "The subject of adopting the New York discipline occupying the attention of this meeting after a considerable discussion it concluded to recommend the subordinate meetings to use it as directed by the Yearly Meeting, the following Friends arranged to assist to manage the discipline with respect to the appointment of Elders, namely," naming them.

2100

MR. MACLENNAN.—We intend to show also that this "C. I." was recorded in the first opposition.

Q.—That entry is a correct entry or account of what took place at the meeting ? A.—Yes.

Q.—And that was the first and only occasion—in "C. I." that it was before your Quarterly Meeting?

A.—Yes.

Q.—Did it come before the Women's Monthly Meeting at all ? A.—No, not this.

Q.—Now did you ever know of such a thing being done as this before, without consulting the subordinate meetings or the Quarterly Meetings ?

A.—No, I never did.

Q.—Can you say, was it in accordance with the ancient practice of the Yearly Meeting to try to impose upon the other meetings a new discipline without consulting the other meetings ? 2110

A.—The custom was also was always to send it down to the meetings or families, New England sent it down to its families, each family had a copy of it when they renewed their discipline.

Q.—And the other meetings ?

A.—It was not carried into the meetings, they went so far as to send it into each family.

COURT.—That is, all matters of importance ?

A.—No, just the discipline—in making changes in the discipline or change in the discipline, I was in New England when they changed their discipline, the same as this was wanting to be changed, the same discipline, and they had the whole printed in pamphlet form, I think it could be produced here, and sent it down to the families, it states on the outside that it was to go to the families, and any objections that those families made were marked with pencil or ink or some way and went back, and they 2120 were returned to the committee having charge of this. and the committee met with the Representative Meeting and the two conferred together on the subject, and they reported to the Yearly Meeting, and I was at the Yearly Meeting the next year when that was brought forward, and the Yearly Meeting then took it into consideration and read the whole matter over sentence by sentence, the meeting acted on it, they didn't do as they did with us make us just come to satisfy our things once on each subject.

Q.—Nothing of that kind was done here ? A.—No.

Q.—So that you had no opportunity of considering the propriety of adopting this discipline ?

A.—No.

Q.—The proposal to change this discipline didn't originate with you in your Quarterly Meeting at all nor in your branch of the church ? 2130

A.—No.

MR. MACLENNAN puts in copy of new discipline that has been spoken of marked exhibit "D. I."

Q.—You recollect the Monthly Meeting after the discipline was rejected by the womens Quarterly Meeting ?

A.—We were by ourselves at that Monthly Meeting.

Q.—At the next Monthly Meeting ? A.—Yes at the next Monthly Meeting.

Q.—It was at the Preparative Meeting then was it that something took place ? A.—Yes.

Q.—Was there any Monthly Meeting between the two ?

A.—No the Preparative Meeting always comes preparative to the monthly.

Q.—And at this Preparative Meeting you were present ? A.—I was.

2140

Q.—Was that meeting a meeting of all the parties both sides those that are now apart ? A.—Yes.

Q.—And something took place I believe about the close of the meeting ?

A.—Yes : we sat through it still through their meeting of business because they were acting under the new discipline and we adhered to the old.

Q.—The Quarterly Meeting appointed a committee to carry the new discipline into effect—the mens Quarterly did ?

A.—Yes.

Q.—And they were acting under the new discipline ?

A.—Yes: as their meeting was about to close on the womens side, they were then in separate session --the men and women Friends : I rose to my feet and quoted the golden rule, and then asked at what hour we could our meetings without interfering with them or they with us : I didn't ask for the house I asked at what hour : it was granted by the womens meeting, 2150

Q.—As you could no longer act with them ?

A.—I don't remember that I used any other words than I have now stated : the womens clerk made a minute and was about to take it into the mens room. when by the noise of the mens room it sounded as if their meeting was about breaking, and she took the minute in her hand, and went through into the mens room, and I heard Robert Saylor say through the partition, there is something new under the sun—Eliza Varney has asked for the house : I had not asked for the house : so I asked permission of our friends to go into the mens room : it is not customary for our females to go in without permission I asked permission which was granted immediately, and I then went through into the mens room, and quietly sat down and arose, and told the Friends I says, I quoted the very same words as I have stated here, in the mens room : and then they acted on it, and the shutters were thrown open and they acted on it jointly and agreed to do away with their afternoon meeting half an hour before, something like that : I don't know just what their hours were, and to allow us to hold our meetings at 2 o'clock on the first day afternoons and at 10 on the 4th day afternoons : then after they went out of the house, we stayed and did our business according to our usual custom. 2160

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Q.—Under what discipline ? A.—Under the old discipline of '59.

Q.—Had any business been done that day in your meeting, under the new discipline ?

A.—They had gone through their business but we took no part in it.

Q.—But they had done no business under the new discipline ?

2170

A.—Nothing only appoint the representatives, because it was right after the quarter, and there is no business comes before that meeting then only just nominating the representatives.

Q.—And from that time how did you continue to meet ?

A.—We met in that way those hours peaceably and pleasantly and everything was done amicably and it was to avoid all further discussion and strife that the question arose up with me.

Q.—You and the Friends who adhered to the old discipline continued to meet from that time until the place was shut up against you ?

A.—Until we were shut out of the meeting ?

Q.—Upwards of two years ? A.—Yes.

Q.—And you and the Friends still adhered to the old discipline, you and your Friends adhered 2180 to the old discipline of '59.

A.—Yes, The same one with which I have always been.

Q.—Now are these people who meet with you, the Defendants, the same who objected to the new teachings that you have already spoken of ?

A.—Some of them are the same ; all of them were not at our Yearly Meeting.

Q.—Was there a Yearly Meeting held at Pickering in the following year, in '81.

A.—There was.

Q.—The same as in former years ? A.—Yes under the same discipline.

Q.—Under the old discipline ? A.—Yes.

Q.—Have you kept up that Yearly Meeting ? A.—We have.

2190

Q.—And have you kept up the Quarterly Meetings and Monthly Meetings ?

A.—We kept up the Yearly Meetings regularly with the exception we made the change in the week so as not to interfere or cause disturbance with the other body for the sake of peace and quietness.

Q.—But the first year you met on regular ?

A.—On regular time, the time that was laid down by the Yearly Meeting when established.

Q.—You kept up the Yearly, Monthly and Quarterly ? A.—Yes.

Q.—You kept up your regular organisation of Friends ? A.—Yes.

Q.—And you occupied the building for the purpose of these meetings, I mean the building in question for the purpose of your Yearly Meetings and Preparative Meetings ?

A.—Yes.

2200

Q.—For the Quarterly and Monthly Meetings and Preparative Meetings ?

A.—Yes we did until the doors were locked against us.

Q.—Had the Yearly Meeting any meeting-house at Norwich ? A.—No,

Q.—And there had never been a Yearly Meeting held there before, before the meeting that the Plaintiffs held there ? speaking of the Yearly Meeting house ?

A.—No, no Yearly Meeting property.

Q.—No property belonging to the Yearly Meeting there ? A.—No not that I ever heard of.

Q.—You would know for you were clerk from the first establishment of the Yearly Meeting ? you would have known if there was any such ?

A.—I think so.

2210

Q.—Are you aware of any change in the mode of prayer in conducting prayer in meeting ; what was the ancient practice in meeting ?

A.—Friends always stood while one was supplicating, the rest stood, the whole audience stood.

Q.—And the one supplicating what was his posture ? A.—He would kneel.

Q.—And the others always stood ?

A.—Always stood, and the men with uncovered heads.

Q.—That was the ancient practice ? A.—Yes.

Q.—At other times in meeting the head was covered ? A.—Yes, sat with their hats on.

Q.—Was there any change introduced into your meeting before separation ? A.—There was.

Q.—What was it ? A.—Sitting at time of prayer.

2220

Q.—How was that introduced ?

A.—Well, it didn't come up in the proper way to the Yearly Meeting ; an individual got up and made the request and made his wishes known for Friends to sit in silence, seeing there was very many prayers offered amongst us he said it made so much confusion rising, so I understood ; this was in the men's meeting ; it came through to us as information.

Q.—Was it done in the women's meeting to ?

A.—The men's Clerk didn't send it in for the Women's Meeting to act on, it never was acted on in

the Women's Meeting ; it was merely sent in as information, that the men Friends had come to the conclusion let the people do as they thought.

Q.—Who was instrumental in introducing that change ? A.—I couldn't say.

2230

COURT—Was that communication in writing ?

A.—It always comes just on a slip of paper signed by the Clerk.

Q.—Is that slip of paper preserved ? A.—It is not preserved

MR. BETHUNE—There is a record of it ? A.—No.

Q.—In the Men's Meeting minutes won't there be a record of that ?

A.—I can't say every little item was not put down in our minutes.

MR. MACLENNAN continues—

Q.—Do you know who was instrumental in introducing that change ?

A.—I don't personally but I understood Alex. Derbyshire made the proposition.

Q.—Who was he ? A.—A private member from Westlake Meeting.

2240

Q.—Which of the parties does he belong to now ? A.—He is with the Plaintiffs,

Q.—Do you know whether that practice was continued in the Men's Meeting ?

A.—It has always been practiced more or less ever since : some sitting and some standing while we were together.

Q.—Do you know whether that was opposed by any of the Friends ?

A.—Disapproved of in the Men's Meeting.

Q.—I mean in the mens ?

A.—I can't say : I have stated it was not acted on by the meeting, but I disapproved of it when I read it : as clerk I said I disapproved of that change being made : that was all : there was no other disapproval for it was not sent in for the meeting to act on.

2250

Q.—Then have you and your Friends adopted any of these new practices at all ?

A.—No none at all.

Q.—Or any of these new practices that you have spoken of ? A.—No not at all.

Q.—You adhere to the old doctrines and practices ? A.—The old usages and doctrines.

Q.—And also to the old discipline of '59 ? A.—Yes.

Q.—Do you know about what proportion of the members adhere to you and what proportion to the plaintiffs ?

A.—I couldn't give the whole of them for there is quite a large number : really I think it is one half any way, of the Westlake Monthly Meeting.

Q.—They are about equally divided ?

2260

A.—Just about yes, and it may be more, I don't know, I wouldn't be positive about it.

BY MR. BETHUNE—

Q.—I understand from what you say, that the society of Friends the orthodox portion of them, are one all the world over ?

A.—They formerly were.

Q.—Are they not now ? A.—I am afraid there is too much disunity among them.

Q.—So that you don't consider that your body is in unity with the societies in England and Ireland New England and New York ?

A.—There is the same disunity in those bodies that there is in ours.

Q.—The way you maintain your unity is by correspondence with these bodies each year ?

2270

A.—Not always : there was also anyther way in which it was done.

Q.—How was the other way ? A.—Through ministers.

Q.—Through ministers coming accredited from the other bodies to you or you to them ? A.—Yes.

Q.—These were the two ways either by ministers coming or by letters going or coming, as the case may be ?

A.—Yes.

Q.—Now in '80 I see you had correspondence with the London Yearly Meeting ?

A.—Yes I think so.

Q.—And with the Dublin Yearly Meeting too ? A.—Yes.

Q.—And with the New England Yearly Meeting ? A.—Yes.

2280

Q.—And with the New York Yearly Meeting ? A.—Yes.

Q.—And with the Indiana Yearly Meeting ? A.—Yes.

Q.—And with the New York Yearly Meeting ? A.—Yes.

Q.—And with the Baltimore Yearly Meeting ? A.—Yes.

Q.—And with the Ohio Yearly Meeting ? A.—Yes.

Q.—And with the North Carolina Yearly Meeting ? A.—Yes.

Q.—And with the Iowa Yearly Meeting ? A.—Yes.

Q.—And the Kansas Yearly Meeting. A.—Yes.

Q.—So that at that time there was this visible evidence of unity between these bodies and yourself?

A.—Yes : but there was one prominent Yearly Meeting that didn't correspond with any of the 2290 meetings : is was a substantial Friends Meeting that refused to correspond with any.

Q.—What was that ? A.—Philadelphia.

Q.—What year—not in '80 was it ?

A.—It has not corresponded with any of those meetings for several years.

Q.—That was the Philadelphia Yearly Meeting ?

A.—Yes and yet it is counted a thorough orthodox Friends Meeting.

Q.—That depends upon whom the counter is, I dare say you may count them, but we don't count them orthodox in that sense, I am identifying myself now with the society of Friends ? Now did any minister attend from England in the year '80 ?

A.—I would not be positive about that : I don't recollect distinctly.

2300

Q.—Do you know a gentleman who came from England as a minister Mr. Wright this year ?

A.—He was at my house.

Q.—You know I suppose that he came accredited to the Plaintiffs Yearly Meeting and attended it ?

A.—Yes, but he visited the members of both.

Q.—But I mean, attended the Yearly Meeting of the Plainiiffs organization, you know that he came accredited to them, and got a return minute ?

A.—Yes.

Q.—Going back again ? A.—Yes.

Q.—Well, I gather from what you say, that early in the year '81 you and the Friends who agreed with you had determined to separate from the other Friends and to establish a Yearly Meeting of your 2310 own ?

A.—No, we didn't make any such, we simply continued what had already been opened.

Q.—But you had determined in the early part of '81 that you would not go on with the rest, with the Plaintiffs party ?

A.—Why, we never felt that we would go with that discipline.

Q.—You never felt you could go on under that discipline ? A.—Yes.

Q.—Was it wholly the difficulty with the discipline that made you desirous of separating ?

A.—The doctrines and practices that had come in.

Q.—Then in consequence of the discipline and the doctrine and practices you made up your mind that you couldn't go on with them and must separate ? 2320

A.—We thought if they would take such liberties and go such lengths under the discipline of '59, they would go far greater under the new one.

Q.—Therefore you made up your mind, I understand, that it was better for you to separate ?

A.—I don't think that we separated.

Q.—I don't care which of you separated, I am not trying to entangle you in any question of that kind, but you made up your mind that you couldn't go on with them ?

A.—We made up our minds to maintain the discipline of '59.

Q.—You made up your mind that you couldn't go on with them ?

A.—We couldn't go with that new discipline.

Q.—And nothing could induce you to go that new discipline ? A.—No. 2330

Q.—Had you read the new discipline at that time ?

A.—I heard that new discipline read in the Canada Yearly Meeting and paid strict attention to it.

Q.—Sentence by sentence ?

A.—Yes, but wasn't kept on sentence by sentence only for perhaps one hour, on the first afternoon, it was read in three sessions.

Q.—And then it was read sentence by sentence ?

A.—But the other two they deprived us of giving our opinion until we got through.

Q.—What they said was that they should wait until the reading was over for the purpose of discussion ?

A.—Yes, and then we were only to speak once at the end. 2340

Q.—And that was the Yearly Meeting '80 ? A.—Yes.

Q.—Now when you adjourned in the year '80, you adjourned according to the minute, to meet at Norwich ?

A.—The mens meeting did, I believe.

Q.—Well, and didn't the womens meeting adjourn too ? A.—I can't say how that is.

Q.—Who was Clerk ? Wasn't it the whole meeting ? A.—Hannah Jane Coady.

Q.—I have got here in the minutes the closing words of page 43 of the minutes for '80—"we conclude proposing to meet at Norwich next year at the usual time, if the Lord will permit ?"

A.—That is the Women's Meeting—each closed separately.

Q.—I will get the Men's Meeting here at page 32 and I find the Men's Meeting concludes this way 2350 "Adjourned to meet at Norwich next year."

A.—That had been strongly opposed in the meeting.

Q.—But that was the adjournment at all events that was made wasn't it ?

A.—It was carried in the same way that the other was carried, as the discipline was.

Q.—Well then you didn't seek to meet with them at Norwich the next year the same time. It is quite evident you didn't, because you went to establish a Yearly Meeting of your own ; you didn't seek did you, to go to Norwich, or intend to go to Norwich ?

A.—We had no desire to go to Norwich.

Q.—You didn't wish in fact to meet with them in the Yearly Meeting ?

A.—We felt they had chosen a way of their own, and were another people in fact, and therefore we 2360 couldn't go with them.

Q.—You had no desire I understand to meet at Norwich, that is so ?

A.—No I had no desire to meet there.

Q.—While you were still at Pickering in the year '80 did those of you who were dissatisfied hold any meeting of your own come to any determination while still at Pickering ?

A.—Not that I am aware of.

Q.—So that nothing was done by your people, your side at all events, at Pickering in the year '80.

A.—No.

Q.—Then you came home and met with the brethren at the Quarterly Meeting and Monthly Meetings during the year '80 ?

A.—Yes.

Q.—And the Preparative Meetings also in '80 ?

A.—Yes up to the time the new discipline came in.

Q.—Well now in the year '79 I find that this matter of changing the place of meeting so that you might meet with any one of the other districts came up, and on page 6 I see in the report from the Belham Quarterly, the suggestion is made to hold Yearly Meetings at some other place than Pickering, and the subject is referred to a representative meeting which is requested to inquire what legal obstacles

if any are in the way stand in the way of adjournment to any other place in the limits : then I find in the minutes '79 page 5 this statement minute No. 16 in the report from the Pelham Quarterly Meeting the Pelham Meeting—setting out the commission to them, and they say in the absence of official report 2380 from the representative meeting Thomas Clark has stated that eminent counsel having been consulted, they advise that we held Yearly Meeting where ever we may please—so that it was determined, you say irregularly, to hold a meeting the next year '81, at Norwich ?

A.—Irregular because it was not in unity we were not united.

Q.—Now take the Women's Meeting at which you were present and Hannah Jane Coady was the clerk you say.

A.—Yes.

Q.—What Quarterly Meeting did she belong to ? A.—Yonge Street.

Q.—So that she was not mixed up with the controversy in the Westlake Meeting in any way ?

A.—She belonged to another quarter.

2390

Q.—She was not mixed up in any way with that ? then she recorded this minute ?

A.—She had evidently shown herself on the side of the Plaintiffs.

Q.—But she made the record of that minute, and you knew at the time that record was made ?

A.—Certainly I did.

Q.—Did you raise any protest against her recording that ?

A.—We had protested as many times as we were allowed to.

Q.—I ask you now, whether at the time that she made that record of the solid sense of the meeting which I think is the expression that issued in most of the books—when she made that as being the solid sense of the meeting, did you protest against its being so recorded ?

A.—It would have been out of order according to our usages to say anything : after the concluding 2400 minute was written, however much we might disapprove of it.

Q.—As matter of fact you didn't raise any objection at all to that ?

A.—In our own mind we did.

Q.—But you didn't state any objection openly ? A.—Because we couldn't as I tell you.

Q.—Well at no time before, in the womens meeting before you had arrived at that concluding minute, did you make any objection openly to the meeting next time at Norwich ?

A.—That part of the question came before the meeting in joint session the same as the discipline, and it was objected to by very many of us : I strongly objected to it.

Q.—Did you raise any objection ? A.—I did very strongly.

Q.—What was that objection ?

2410

A.—That I thought that our Friends felt a living concern for a Yearly Meeting to be established in Canada—our Friends who had felt a living concern in the Yearly Meeting to be established in Canada, had weighed the matter well and had decided on Pickering as being a most central part that all our members those that hadn't much means could get there more readily than anywhere else, and the property had been bought there.

Q.—Then you stated that objection to the meeting did you ? A.—I did.

Q.—Who else stated that objection besides you ? A.—Others told me.

Q.—Give me the name of any person who did ?

A.—Mary Ann Valentine, Matilda Branscombe I think, I wouldn't be positive.

Q.—Any body else besides these people you have named ?

2420

A.—O yes but I could'nt give a name though.

Q.—And how many people would there have been there ?

A.—I wouldn't be positive but Jane Cronk objected : I couldn't go into particulars, nor I didn't notice : I only attended to my own duty not thinking it was ever coming to this.

Q.—Well then having stated your objection, the clerk made this minute and the matter was ended so far as the remonstrance or objection or anything of that kind was concerned ?

A.—When I had made that statement a Friend says a Friend arose in the Meeting and said that I had come there without one spark of evangelical fire in me.

Q.—And of course that was not pleasant to say, I dare say, and perhaps that so worried you, that it put all further thought of this matter out of your mind ?

2430

A.—Not at all ; I simply stated that to show the spirit that we were met when we proposed anything.

Q.—But you were opposing something ?

A.—When we opposed anything ; you misunderstood me.

Q.—Then when was it that you first determined that you would not go to Norwich at this meeting ?

A.—I don't think we ever gave it a thought, for we had always thought to stick to our practice and to our principles and to our discipline.

Q.—But the discipline didn't say anything about meeting at Norwich ?

A.—I never felt it was the Canada Yearly Meeting went to Norwich—not at all never.

Q.—That was your notion about it, that it was not the Canada Yearly Meeting went to Norwich 2440 at all ?

A.—No.

Q.—And you never intend to go to Norwich ? A.—No.

Q.—And you never intend to obey this concluding minute at all at any time ? A.—No.

Q.—You always had that in your mind, a kind of mental reservation at the time, that you wouldn't go to Norwich ?

A.—I felt that I had suffered so much, left everything in this world to come out and be a Friend I couldn't turn my back upon,

Q.—Were'nt they as good Friends up at Norwich as at Pickering ?

A.—They were a different kind of Friends.

2450

Q.—You will get the same kind of Friends if you all went to Norwich that you would have at Pickering ?

A.—No.

Q.—Was there anything particularly sacred about the place Pickering ?

A.—We were'nt united in sentiment, doctrine or discipline or belief.

Q.—Was there anything particularly sacred about meeting at Pickering, I can understand a Mahomedan thinking something sacred in the meeting place, but I can't understand Friends thinking one place more sacred than another ?

A.—The one meeting was held under the old discipline and the other under the new.

Q.—I talk of the place—was there anything particularly sacred about meeting at Pickering ?

2460

A.—We never consecrate our grounds.

Q.—So that there was no more reason why you should meet at one place than at another, as matter of consecration ?

A.—Other than that the meeting was established as the place of Yearly Meeting.

Q.—It was not a matter like the laws of the Medes and Persians that couldn't be altered ?

A.—Had it gone in unity, we would have felt we must carry it out.

Q.—Your idea is that if one single person opposed to your adjourning from Pickering to Norwich, it could not be done is that your idea ?

A.—Not one alone, in so important a thing as that, but where there was so many objected as there was to that.

2470

Q.—But I don't understand that one person in your meeting of perhaps 100 or 150 is going to prevent a change being made ?

A.—Still it would be weighed and considered, if it came from certain individuals, those that were in the habit of weighing matters well, if they were to make an objection, others would feel they must suffer with them until they became of their mind, and often it was read over from one end.

Q.—But the question whether a particular thing is to be carried or not is left to the wisdom of the Clerk exercising his best judgment on it before the minutes at the conclusion of the meeting ?

A.—Not always because the Clerk makes a mistake in the meeting, the meeting rectifies it.

Q.—When does the meeting rectify it. there and then ?

A.—They do if they are in unity.

2480

Q.—But suppose the Clerk makes a mistake and reads the minute and they are not in unity, about rectifying it what then ?

A.—Supposing it is at the close of the meeting, they can't do it.

Q.—During the progress of the meeting supposing the minute is put down after discussion by the Clerk, and then the appeal, if I may use the word, to the meeting from the Clerk minute, and they are not in unity about altering the Clerks minute, what about that, have you ever known a case like that to arise ?

A.—I can't say that I have.

Q.—Have you ever known a case where they have appealed to the meeting from the minute of a Clerk ?

2490

A.—When a meeting shows party spirits in it, and the Clerk is sitting at the table, it has always been customary of late years, since these things came among us, to endeavor to weigh carefully and see who it was that spoke to these things, and if it was weighty concerned Friends, christian people and those that were well acquainted with the doctrines of Friends and knew what it was, they would naturally expect them to carry the weight of it and carry it the farthest, that has always been the custom among Friends.

Q.—What I was dealing with was this, suppose the Clerk makes a minute and it is read out to the meeting, have you ever known a case where that has been altered by the meeting itself after the discussion, and after the deliberate exercise of his best judgment by the Clerk ? Can you recall a single instance where the Clerk's minute has ever been altered ?

2500

A.—Minutes have been altered different months, I couldn't recall anything at this moment.

Q.—The alteration made is made there and then ? A.—Not always.

Q.—Have you ever known an alteration at the next meeting ?

A.—Sometimes at the next meeting.

Q.—Can you recall a single instance of alteration at the next meeting? A.—I couldn't now.

Q.—Well then it was perfectly well known of course to both men and womens meeting when you went in '80 that a minute had been made of your adjournment to meet at Norwich the next year?

A.—Certainly.

Q.—Then you held a meeting of your own apparently at Pickering notwithstanding this adjournment to meet 24th June and continue till 28th June '81.

2510

A.—The minutes will show the dates, I couldn't remember the dates.

Q.—I find there that by reports from West Lake Monthly Meeting it appears the following Friends were appointed to represent meeting, Gilbert Jones, Dorland, Brewer, Vermilyea, Yuers, Bowerman, Varney, Ward, who were present to report from Yonge Street—now you were the only people who attended that first meeting were you not?

A.—No; there was quite a large number attended from Norwich.

Q.—I don't see any account of that as to the meeting in '81 at Pickering?

A.—I think you will find it there.

Q.—The first thing you did apparently was to restore some people from Pelham Quarterly Meeting who had been disowned? A.—Yes.

2520

Q.—I see that you say, whereas by an act of the Yearly Meeting held in '78, many Friends and members of Pelham Quarterly were deprived of the privileges, said Friends were now reinstated, Mason, Haight, Spencer—in other words, the first thing you had to do was to restore to good membership some of the very representatives that were attending your meeting then?

A.—Yes.

P.—And you restored to good membership William B. Mason, Haight, Stover, Spencer and then a committee is appointed to take into consideration the state of the society, and then Stover, Moore, Jones, Pollard, Miller were appointed to consider the position of representative meeting.

A.—We considered those Friends had been disowned in the same manner that the discipline had been carried over us.

2530

Q.—And you were going to work to set aside the disownment and should'nt that have been rectified by the Monthly Meeting? where a person is disowned, must'nt the disownment be removed by the Monthly Meeting?

A.—That disownment that we had reference to there, was not by the Monthly; it was an act of the Yearly Meeting.

Q.—But didn't it come up before the Yearly Meeting on an appeal from the Quarterly Meeting?

A.—I think so, but I wasn't there.

Q.—Because, as I read the discipline taking back again and getting rid of disownment must take place and ought to take place in the Monthly Meeting—you didn't think that I suppose at all events? now I don't see here any representatives from any other place than Pelham and your Quarter? 2540

A.—No both parties were together at Yonge street till lately.

Q.—They say there is none from Yonge street?

A.—No there was no representative from Yonge street.

Q.—I don't see any from Yonge street either? A.—That is the same as Pelham.

Q.—So that in effect the meeting which you held in Pickering, '81, was composed of those of you who were not in unity with Westlake monthly meeting and those whom you restored to membership from Pelham? A.—And some of the Pickering meeting came and sat with us.

Q.—Who were they from the Pickering meeting? Can you give the name of anybody who came?

A.—John and Sarah Wright sat with us some.

Q.—I have not noticed their names? Are you quite sure about that? 2550

A.—Oh, we didn't put them in; they wished not to have their names put down.

Q.—So that you didn't put them down as being present at your meeting?

A.—They have since separated I hear.

Q.—Separated from whom? A.—From the plaintiffs; there were some there from Pelham who had not been disowned.

Q.—Then you have since met as you told Mr. MacLennan, from year to year, apart from the plaintiffs yearly meeting? A.—Yes.

Q.—Well your body—your Yearly Meeting is not in accordance, not in correspondence with the English or Irish, the London or Dublin yearly meeting?

A.—No, though there are many of them in sympathy with us. 2560

Q.—You are not in correspondence with them—with either the London or the Dublin, or the New England or the New York or the Baltimore, or—? A.—We correspond with the Western Iowa and Kansas.

Q.—You correspond only with Western Iowa and Kansas?

A.—Western—one yearly meeting was held in Indiana, southern part of Indiana, and Iowa and Kansas.

Q.—I suppose you know the meeting you correspond with are people who are called Separatists there, who have been put out by a suit in Indiana, don't you? A.—No, I don't know that.

Q.—Have you got a book containing the Epistle which you got from them last year?

A.—From whom ?

Q.—From the Indiana body which you correspond with ? A.—Yes.

2570

Q.—Have you got it here because I want to identify it ?

A.—I produce it, marked as exhibit "E. I." minutes of '83 of the Defendants Yearly Meeting, in which espistle is set forth—prodnced to show the bodies with which the Defendants in correspondence.

Q.—You seem to correspond with the Western, the Kansas and the Iowa ? A.—Yes.

Q.—How was it that you were able to meet at that time; when had the Plaintiffs Yearly Meeting, or did you hold your meeting in the same building ?

A.—In the same building.

Q.—At what time did they meet ? Did they meet before or after you did ?

A.—They met the week—they meet they week after we do.

Q.—The Yearly Meeting of the Plaintiffs body was held a week after yours ? A.—Yes.

2580

Q.—Did you hold your Yearly Meeting this year a week sooner than you had formerly done ?

A.—Yes.

Q.—Than you had done before '80 ? A.—Yes, I stated so.

Q.—Now then until you had got the disownment removed from the Pelham people at this meeting of yours in '81 you had only representatives there from one Monthly Meeting, the Westlake Monthly Meeting ?

A.—Oh no ; I beg to differ with you, our Quarterly Meeting was composed of 4 Monthly Meetings.

Q.—But you hadn't the Quarterly Meeting there had you ? A.—Certainly we had.

Q.—Whom had you , who was there present from any other meeting except the Westlake Monthly Meeting ?

2590

A.—Kingston Monthly Meeting was represented there.

Q.—What I ask you is at the meeting which you held in '81, the first of your Yearly Meetings ?

A.—It was not from a Monthly Meeting ; it was from a Quarterly Meeting.

Q.—But had you representatives there from any except the Westlake meeting ?

A.—The names may have been confined wholly to the Westlake Meeting.

Q.—I will read you the names—Gilbert Jones, he belonged to the Westlake Monthly Meeting ?

A.—Yes.

Q.—Allan M. Dorland he belonged to that ? A.—Yes.

Q.—Johnson Brewer ? A.—Yes.

Q.—John Vermilyea ? A.—Yes.

2600

Q.—Peter Youers ? A.—Yes.

Q.—Levi B. Bowerman ? A.—Yes.

Q.—Thomas Robinson ? A.—Yes.

Q.—Jonathan P. Ward ? A.—He didn't belong.

Q.—Where did he belong ?

A.—Kingston Monthly Meeting ; but our Monthly Meetings are not always represented by our Quarterly Meeting representatives at our Yearly Meetings ; some times it will all come out of our Monthly Meeting, just what names happen to be in.

Q.—This says by the representatives from Westlake 4 Monthly Meetings it appears the following Friends were appointed to represent the meeting in this, and they were all present except two, who were 2610 the two ?

A.—My husband's illness prevented his attending ; his name was Levi Varney.

Q.—Who was the other one ?

A.—I don't know as he belonged to the men.

Q.—On the women's part Mary Ann Valentine was present belonging to Westlake ? A.—Yes.

Q.—And Eliza Varney too ? A.—Yes.

Q.—And Jane Bonstiel ? A.—No she belongs to Cold Creek Monthly Meeting.

Q.—Mary Bowerman, Westlake ? A.—Yes.

Q.—Margaret Jane Jones ? A.—Yes, Westlake.

Q.—Mary Valentine ? A.—Yes.

2620

Q.—Eliza Varney ? A.—Yes.

Q.—Jane Cronk, Westlake ? A.—Yes.

Q.—Susan Dorland ? A.—Yes ; she belonged to Hilliard preparative, Westlake Monthly.

Q.—Hannah Garrot ? A.—Cold Creek.

Q.—Phœbe Dorland ? A.—Cold Creek.

Q.—Matilda Branscombe ? A.—Westlake.

Q.—Margaret Ward ? A.—Kingston monthly meeting.

Q.—Sarah Hodgson ? A.—Kingston.

Q.—Now, they are all there but four ? Do you know who the four were that were away ?

A.—I could'nt say that I do. 2630

Q.—You can't say who they were ? A.—No, I don't remember.

Q.—Now, had you held any correspondence before you went to this yearly meeting at Pickering, with any of the persons who ultimately came to this yearly meeting in 1881 ?

A.—Written correspondence and social letters ?

Q.—Yes, write letters, any kind of letter with that yearly meeting ? A.—No, no one.

Q.—Then how did you all assemble there ?

A.—It was a mystery to ourselves ; we thought there was a hand of Providence in it ; these persons felt drawn together they said, to come and visit us—people we knew nothing of.

Q.—It never occurred to you the hand of Providence was being supplemented by the hand of man ?

A.—Not in that case surely. 2640

Q.—Or by the pen of man ? A.—No.

Q.—Was there any correspondence at all by which you were all brought together there in Pickering ?

A.—I think we were all strangers—you mean stranger friends that visited us ?

Q.—I mean people at Pelham whose disownment you removed when you met in 1881, or before you met in 1881, at Pickering, hadn't you arranged by letters passing between you, that you should, that you would meet there ?

A.—The monthly meeting appointed a Committee to do so.

Q.—Who were the Committee that were appointed ? A.—I could not tell you ; the books will show.

Q.—That was your monthly ? A.—Westlake monthly meeting and Norwich monthly meeting. 2650

Q.—Yours as distinguished from the plaintiffs ?

A.—Well there is a Norwich meeting of friends the same as us.

Q.—I ask you whether your monthly meeting hadn't done that. A.—Yes.

Q.—Because I think I find a letter here, 1881, 5th month May, addressed to the Westlake monthly appearing in their book 5th month, '81—at pages 6 and 7 of the Defendants minute book, marked "C. I." under heading "The Joint Session."

Q.—Do you mean to say you had adopted that heretical thing “Joint Session”?

A.—In the yearly meeting it is adopted and that was at that yearly meeting.

Q.—You don’t object to a joint session at a monthly meeting? A.—This was not a monthly meeting.

Q.—What was this?

2660

A.—I don’t remember that we ever held a joint session at a monthly meeting.

Q.—This is the minute book of the Westlake monthly meeting of friends “C. I.”? Doesn’t that mean a joint session?

A.—Occasionally once in a while it has been allowable with us at the close of any meeting, anything that would take up too much time.

Q.—That doesn’t say joint session? A.—Then the shutters weren’t open.

Q.—This was not a joint session?

A.—Not clear through; our business had been gone through with I think before that was read; I wouldn’t be positive, for I don’t remember.

Q.—So that this heretical thing of a joint session sometimes did take place in your body.

2670

A.—I think if you will go through that you will find that part of that meeting was held without that.

Q.—I find the very first meeting you held was a meeting in joint session, a preparative?

A.—Well, that Preparative Meeting we were obliged to that day; we couldn’t help ourselves.

Q.—Why were you obliged to that day any more than any other day?

A.—Because there were so few of us.

Q.—In October? A.—Yes.

Q.—There were more than two men and two women weren’t there? A.—Yes.

Q.—Two make a meeting don’t they? A.—Not considered so by us.

Q.—You don’t consider that two would make a meeting? A.—Not a meeting for business.

2680

Q.—At all events this was a meeting in joint session apparently as it appears on page 6?

A.—Well, I had lost sight of that.

Q.—You didn’t hold them, bring them up for holding this heretical meeting?

A.—I think it is the only meeting we held of that kind.

Q.—And here is the answer which Levi Varney signed?

A.—Is there not one signed by the Women’s Meeting the same day, the Monthly Meeting of the

women's will show ; I think there is the women's books here.

Q.—“The following communication in joint session was read, and then Jesse Stover corresponded and the address was received in spirit of brotherly love, and the Clerks were directed to give them the information contained in the following minute, and inform them that the company of any of their mem- 2690 bers would be acceptable to us,” and then concluded that the Friends being still in joint session——?

A.—I think you will find there is women's minutes here which will show that we held a meeting prior to the shutters being opened in joint session.

Q.—That would not be heretical then to hold a meeting in joint session, after you had had a separate meeting ?

A.—We met and the women did their business all but this portion, and then the shutters were opened and this was done ; that has not been common among Friends Meetings.

Q.—Then you don't think it is heretical to do part of the business in a separate session, and then have the rest done in joint session ?

A.—Where it concerns both parties—to save time.

2700

Q.—The minute is this “After full expression of sentiment it was concluded, the Friends being still in joint session to hold our ensuing 4 months meeting on the same day as usual at 4 o'clock p. m. ; meeting of Ministers and Elders on the 6th day previous at 3 p. m., and public meeting the usual time 2. p. m. the first day following, and any further business meeting was ajourned” ; and then I find at page 8 this report, and I want to see if this is a joint meeting or not of the Westlake Monthly Meeting of Friends ; the Committee appointed third month to correspond with Friends on the other parts of Yearly Meeting, reported that they had a meeting of Friends in all the other Monthly Meeting, informed them of propositions to hold Yearly Meeting at the usual time and place, and that to some letters, replies had been received all uniting with us in prospect ; Eliza Varney returned the minute granted her last month, and the Clerk was directed to furnish her with a copy of the foregoing minute ; now what was 2710 the particular minute, the particular proposition you had, and which is referred to there, she returned the minute granted her last month and informed the meeting that she had performed the services which she had in prospect ?

A.—It was religious services holding meetings, that is all.

Q.—Where ?

A.—I don't remember, I have had several of them since we have been separated, I think it was here in Canada, but I have had some since in New England.

Q.—Was it in Pelham or Norwich or Pickering or any of these places ?

A.—No, I never went to Pelham or Norwich through last fall, for it was not in any wise connected with the Yearly Meeting—that part was not.

2720

There is a possibility
of communication with
the
in the consideration of
a man people who had been
when they had been out of the
they

very
to be

to go on to the next stage was
and find that you could not meet at home
and I don't think it will be
that

to be the best of them
to be the best of them

to be the best of them

to be the best of them
to be the best of them

Then it appears this Yearly Meeting of Friends which you held at Pickering in '81 arose out of a communication made to you by the disowned from Pelham, that is the way it was brought about, by those who had been disowned the people who had been disowned in Pelham ?

A.—Yes because we considered it was unjustly done.

Q.—Then these people who had been put out held out the hand of fellowship to you who had, whom they thought had been put out too, as I gather from the meeting, Isn't that so ? that is the way they seem to have addressed you, they point out that they had been put out in '78 and then point out that you had been unjustly treated in '80 and then asked you to join forces and hold a meeting of your own, in effect ?

A.—To continue the Yearly Meeting in Canada.

2730

Q.—You then wanted to go to Norwich for that purpose ?

A.—We didn't understand it that way.

Q.—Don't you remember Mr. Gilbert Jones who was one of your side expressed an opinion at one of your meetings that you could legally hold your meeting at Norwich don't you remember that ?

A.—No I don't remember anything of that.

Q.—Do you remember who the gentleman was who said he had taken legal advice on the subject and found that you could hold meeting at Norwich ? wasn't it Mr. Jones ?

A.—I don't think that was said in my presence : that may have been said in the Mens but I never heard of that.

Q.—Now when was it that the last of these heretical persons whom you have named left this part of 2740 Canada ? I refer now to Maclean Blackledge Scott and Kenworthy ? tell me which was last.

A.—Kenworthy was here since the Yearly Meeting.

Q.—When you and the Plaintiffs separated that occurred in '81, now how long before that was it that the last of these persons had been there ministering Scott, Maclean, Kenworthy and Elbridge ?

A.—I couldn't tell, because there were others came right on.

Q.—How many years before '81 was it that the last of them was there ? A.—I couldn't tell.

Q.—Several years was it ? A.—No.

Q.—2 or 3 ? A.—Scott was there two winters in succession.

Q.—When was the last winter before '81 that he was there ?

A.—He was there again in the summer after that.

2750

Q.—Can't you give me an idea of the time that Scott was there ? The time that the latest of them

was there ?

A.—I can't tell whether he came down in '80, after the Yearly Meeting. I couldn't tell what year it was, but I know he came right down after the Yearly Meeting.

Q.—Which of them ? A.—Elwood Scott.

Q.—Now, the latest entry that the friends whom I represent have given me is that Amos Kenworth being there on the 22nd May, 1880, according to the minutes, and getting his letter from his letter or minute of dismissal ?

A.—There has been several there that was not at the Monthly Meeting, nor didn't produce minutes.

Q.—It is enough for us to deal with those who did come to the Monthly Meeting accredited and who 2760 produced minutes and got minutes in return—you can't tell me then when the last of them was there before the separation occurred ?

A.—I couldn't recall just now, because my memory is not quick, not active not quick to recall anything.

Q.—Your husband signed as clerk, signed the letters of dismissal didn't he of these people return minutes ?

A.—Why no, he was not clerk to those meetings.

Q.—Wasn't he clerk at the time Noah MacLean was here ? A.—I think not.

Q.—The book seems to show it ? A.—Does it ?

Q.—What is your recollection about that ?

2770

A.—Oh, I couldn't tell what was done in the mens' meeting.

Q.—But you can remember whether or not ?

A.—But if my husband signed that, he did it with a protest, because I know that he protested against it.

Q.—Was it because your husband had a strong feeling against MacLean that he protested ?

A.—Because he couldn't approve of his manner of getting along.

Q.—I find here book "Y" is it your husband's handwriting ? A.—Yes.

Q.—And the body of it his to ? A.—Yes.

Q.—I find Noah MacLean attended this meeting with a certificate, meeting held July 19th, 1877, and the clerk was directed to furnish them with copies of the above minutes and sign them on behalf of 2780 this meeting—what does that mean ?

A.—As clerk he signed it.

Q.—But I don't see his protest there ? A.—But that was not always put down.

Q.—What is a long time ago ? Will you say MacLean has ever been here since that time—at the Westlake Meeting ?

A.—I don't think he ever has.

Q.—Well now, I should judge from what you say that you considered MacLean a most unsound—the most unsound of all the theologians of all these people who were there ?

A.—I don't think I said so.

Q.—What did you think ? Which did you think was the most unsound of all of them ?

2790

A.—I am not their judge.

Q.—You have been judging—you have been telling us ?

A.—I judged of their ministry, what I heard.

Q.—According to what you heard ? Which did you consider of the number whose names we were talking about a moment ago the most unsound ?

A.—I think they all talked the same doctrine.

Q.—And one was as bad as the other you think ? A.—I would.

Q.—They were all equally unsound in theological teaching ?

A.—Yes, in accordance with Friends views ; I don't say but what they may be good Christian men, but they differ with me very much in belief.

2800

Q.—They were all equally unsound so far as the standard of theology amongst friends was concerned ?

A.—I considered them so.

Q.—How do you account for your husband's soundness—the soundness of whose theology you have I suppose, no doubt, signing the return minute to MacLean ?

A.—As servant to that meeting, he felt he must comply with what the meeting directed him to do, although he disapproved of it at the time ; I remember hearing him say he disapproved of it at the time.

Q.—It never occurred to him that if he thought it was wrong it required him to resign ?

A.—It is not thought best—it is not thought by us that a clerk ought to resign, let come up what will, unless sickness, until his year is up.

2810

Q.—No amount of inaccurate doing of the meeting is a cause for resignation ?

A.—Never used to be considered so ; when he was put in as clerk, he must do business at the meeting, whether he be for it or against it.

Q.—And was he clerk for that one year, '77 ?

A.—I couldn't tell ; he has been clerk different times, but whether he was only the one year then or not, I don't know.

Q.—It is not usual for the women's meeting to give a certificate of the same kind—of that kind, a certificate, return minute ?

A.—They united in it.

Q.—Then in effect, Mr. Varney's certificate here would be a certificate of the joint meeting ?

2820

A.—It would be joint by their passing through ; they are read in both meetings.

Q.—Then this minute must have been read at the womens' as well as the mens' meeting ?

A.—The books will show.

Q.—Do you remember whether you were present at the time this minute was given to Mr. MacLean ?

A.—I think so ; I think I was.

Q.—Have you got the books of the womens' meeting ?

A.—But the book won't show any objections.

Q.—You have kept the women's book ?

A.—I don't know whether it is here or not, but I haven't got it.

Q.—Your body has it ?

2830

A.—Our body has it somewhere ; I don't know whether it is here in court or not.

Q.—Was it given to the lawyers, do you know ?

A.—I don't know ; I am not clerk ; I don't have it.

Q.—At all events the women's book you say would contain a similar entry, and no objection raised to giving him his return minute ?

A.—I couldn't tell you ; there was objection raised in the women's meeting.

Q.—There is no objection shown ?

A.—It never is put down in the books—no matter how much objection is made ; it has of late years been noticed in the books.

Q.—In fact you don't put anything into the books, except that which the clerk thinks you are 2840 united upon, the solid sense of the meeting is united upon ?

A.—It has not always been so.

Q.—That is the rule isn't it ?

A.—No, I don't think so ; I think in former times, if an objection was raised, it would be stated in the minutes.

Q.—When did that habit of stating the objections cease ? A.—Several years ago.

Q.—How long ago ?

A.—I could'nt state the time ; we gradually run into these things:

Q.—Now I suppose you would not undertake to tell me at this distance of time any particular sermon that any one of these gentlemen preached, would you ? 2850

A.—I might some few sentences perhaps that they said in the course of their sermon ; I couldn't go through their sermon.

Q.—Take any one of the subjects you have been telling us about and repeat to me anything that was said by any one of these gentlemen about faith, taking that as a sample—as matter of memory I want you to tell me that, I don't think it is possible ?

A.—I understood Elwood Scott to teach it as a faculty of the mind.

Q.—Tell me now the language he used ?

A.—I couldn't give his language on that point : I could on some other.

Q.—You can't give me Elwood Scott's language on the subject of faith ?

A.—No I wouldn't like to. 2860

Q.—Could you give me his language on any subject of theological teaching ?

A.—I wouldn't like to at this length of time, but still I know that things were taught :—those things were taught, I heard them myself : and I heard him arguing them in my own house :—Elwood Scott.

Q.—You heard them argued in your own house give me the words used at your house ?

A.—I couldn't do that, but I felt it so much that I asked the elders to come to the house and hear some of his arguments.

Q.—Whom did you ask to come, and hear some of his arguments ?

A.—Allan M. Dorland an elder, and Anthony Haight, an elder.

Q.—Did they come ? A.—They did and Susan Dorland an elder. 2870

Q.—Did they agree with you ?

A.—Well they made no remarks to me that would be out of their sphere ; it would be to speak to him if they spoke to anyone.

Q.—And he didn't refuse to discuss the particular point with them ?

A.—It was not on one particular point more than another, but some ideas he was advancing ; I asked them to come there that they might hear for themselves, some of the ideas that he was advancing and to visit with him. and Susan Dorland, those three elders.

Q.—Did you tell him that you were going to bring them there to listen to his language ?

A.—I didn't.

Q.—Did you think it necessary to tell them that ? A.—I didn't.

2880

Q.—They heard the conversation ? they had a conversation with him or heard a conversation between you and him ?

A.—Between us both.

Q.—Were you disputing about a particular subject with him ?

A.—There was no dispute whatever : what was talked was all talked in a Christian spirit on both sides.

Q.—Were you objecting to his ideas at the time ? A.—We didn't agree on the views he advanced.

Q.—And you made the differences known to Friends who were there ?

A.—They heard the conversation.

Q.—And you don't know what further if anything, they did upon it ? A.—No I didn't.

2890

Q.—Your idea was to get them there in order that they might make some charge about it, was it against him.

A.—No my only idea was that if they considered anything wrong in the doctrines he was advancing that they might restore him in love according to our discipline.

Q.—And you don't know whether they did that, or attempted to do it ?

A.—That would not be in my presence—no.

Q.—But you never followed it up by making any investigation ? A.—No, I never did.

Q.—Elwood Scott has got his return minute the same as the others ?

A.—I don't know what he got.

Q.—But you would remember it I suppose, if it had been refused to him ?

2900

A.—I think there was objections raised the last time he was here—to the minute.

Q.—When was that ? A.—I couldn't give the dates.

Q.—About how long ago is the occurrence you told us a moment ago of—bringing the Elders there to converse with him

A.—It was the second time he came to Canada.

Q.—About how many years ago ?

A.—I don't remember ; my memory is impaired in that respect through severe suffering.

Q.—And you can't tell? A.—No.

Q.—So with regard to the other members, the other matters of doctrine referred to, you would not undertake now at this distance of time to give us any considerable portion of the language used by the 2910 speaker ?

A.—I would not like to repeat it every time ; I know that I received it and it is the doctrine as I have stated it there.

Q.—But you wouldn't undertake to swear now you could repeat, as I say what he had said ?

A.—Word for word.

Q.—Yes ?

A.—No, I would not like to say, although I am satisfied in my own mind, that they did teach those doctrines.

Q.—Perhaps we might think you a bad judge ? About how long is each of these speakers in the habit of speaking ?

2920

A.—Never any set time.

Q.—But how long or how short were speeches of that kind ordinarily made in meeting ?

A.—Sometimes lengthy and sometimes quite brief, but those Friends were generally pretty lengthy.

Q.—About how long did each of them speak on an average ? Half an hour ?

A.—Oh yes, half an hour ; sometimes a great deal longer than that ; sometimes an hour.

Q.—And it was spoken not from manuscript, but spoken viva voce, wasn't it ?

A.—I think some of it was spoken from memory ; I can tell one circumstance in regard to Elwood Scott now ; on one occasion I saw him at my house reading a chapter before going to meeting, and when he went to meeting, he spoke from that very chapter that I had seen him reading.

Q.—A chapter in the Bible ? A.—Yes.

2930

Q.—I suppose most of the sermons you have are spoken more or less from chapters which have been read, aren't they before going to meeting ?

A.—No, the Bible would be a sealed book to me ; before going to meeting, however, much I might read and afterwards prayerfully read it in the evenings or afterwards ; any other time.

Q.—But you would not prepare yourself for a sermon or for speaking by reading the Bible?

A.—No Elwood Scott's testimonies were very often interspersed with anecdotes, a thing that Friends were never used to be in the habit of doing; sometimes they would be rather on the ridiculous, so as to have the meetings almost in laughter, and other times it would take them to tears.

Q.—Then you can't undertake then to tell me you would not undertake to give me 10 lines I suppose of anything? 2940

A.—I could tell you an anecdote that he related in meeting; we didn't think it was theology, and therefore we didn't approve of such ministry.

Q.—Would you undertake to give me 10 lines of what anyone of them said just as he said it?

A.—I could tell that part of it I think.

Q.—Don't you think you would think it hard yourself if your theology was to be judged by some adverse intellect who came afterwards and swore what your preaching was and not able to give the words?

A.—I think man already judged a good many times.

Q.—Don't you think it would be hard judgment on you if 4 or 5 years afterwards they said what they heard Eliza Varney preached? 2950

A.—There is that to comfort me that there is a righteous judge to judge righteously in the end.

Q.—Don't you think you would consider it rather harsh judgment upon you if 5 years afterwards after this some person came and said I heard Eliza Varney preaching and she was teaching so and so, which was erroneous, and she couldn't remember it, what Eliza Varney had said; don't you think that would be rather hard lines?

A.—I would not expect any one's memory to tell five years afterwards; they could tell the impressions they received, and the doctrines they taught.

Q.—Then it was only the impressions that were made on you at the time that you can give now?

A.—I don't know what way the gospel can take hold of anybody except by impressions made on the heart. 2960

Q.—It was only by impressions made on you at the time that you are telling us now—only impressions made upon you at the time?

A.—I can't remember the words that were taught but I know that was the teaching.

Q.—I understood you to say you went to these meetings and the preaching was going to unsound theology?

A.—I said I didn't go to them because I had reason to believe they would teach unsound doctrines.

Q.—On occasions which you have deposed to hearing here you must have been at some place where

they were preaching because you have given us instances ?

A.—I had heard Elwood Scott : I went to his meetings.

Q.—You went there feeling that he was unsound in theology in his theological views ?

2970

A.—I didn't know so when he first came amongst us : he was a stranger when he came amongst us : he came to our houses.

Q.—And you didn't go then with the notion that Elwood Scott was unsound in his theological views ?

A.—No indeed I didn't : because I knew nothing of the man only as I heard him teach it himself.

Q.—Did you suppose he had come accredited from any of the Friends' bodies whose views were supposed to be unsound ?

A.—He himself told me that had he come in full unity, he says if I had waited for the full unity of the meeting, I should not be here to-day Eliza Varney, he told me that himself.

Q.—Had you any suspicion when he did come, that his views were not sound ?

2980

A.—No I had no suspicion about it.

Q.—Why didn't you protest against a return minute being given these people whose views you thought were unsound, why did you approach it by giving them a return minute so that they might preach unsound doctrines elsewhere ?

A.—I objected to Elwood Scott.

Q.—Why didn't you have the objection put down ?

A.—Because our Friends were not in the habit of doing it : the minutes would not show it.

Q.—You seemed to think that you had a right to have the objection noted, why didn't you complain to the Monthly Meeting that that was not done ?

A.—It hadn't been customary I told you for several years.

2990

Q.—Now the only one of the brethren here of whose conduct you seem to complain is Mr. Charles Bowerman ?

A.—That is, of our own members yes : I had had occasion to meet Elwood Scott with two elders and talked over the matter and had the same thing occurred years before when our society was in a healthy state, he would have been sent home—the labor that was bestowed by this, it was on a different occasion from this that I have here alluded to.

Q.—Dealing with Mr. Bowerman, had there been any difficulty at all between you and Mr. Bowerman before this investigation had taken place ?

A.—When his name was brought forward as an elder, I couldn't see that it was best, and I—

Q.—And you opposed it ?

A.—Yes but I had my good reasons I thought, for that : I had nothing against the man and I believed him a sincere Christian man at that time, and a man that desired to do what was right but there was a difficulty about him that he couldn't help, but which would make it unsuitable to place him in the eldership : and on that account I opposed and no other : my health was poor and I did it as in the sight of God ; it seems he laid it to heart what I said in the meeting, and afterwards he took as opposing him, which was not the case.

COURT.—What was the objection made ; you made to Charles Bowerman being appointed an elder ?

A.—It was owing to his state of health that he couldn't help : it was not in his power to help it, and I thought under those circumstances it would not be best to make him an elder : I never objected on any other ground.

Q.—Was there any other difficulty than that between you and him ?

A.—Not that I now remember, except that immediately after that, he wrote some very hard letters, but still I never laid it to his charge : I could overlook it and forgive him.

Q.—Do you know whether that committee ever went to see Mr. Bowerman at all on the subject the committee that you say were named consisting of Valentine Varney and White ?

A.—I could tell where they went to see him.

Q.—He says they never spoke to him on that subject ?

A.—I think likely he may say so, because he may forget.

Q.—You weren't there ?

A.—I know that my husband and Wm. Valentine left the house for that purpose : I am only speaking from circumstantial—knowing what a trying time they had by what they reported to me when they returned ; they started for Charles Gideons house.

Q.—You have no personal knowledge yourself of their having spoken to him, and the reason I say so, is that he says they didn't speak to him on the subject at all ?

A.—I think I can believe my husband as quick as any one.

Q.—You as matter of personal knowledge, know nothing of it yourself ?

A.—Those that did see him are here.

Q.—Have you a knowledge yourself ?

A.—Only just from circumstantial evidence, but the circumstances both concurring their starting from our house and coming back to our house, and the circumstances that occurred at our house in both cases both going and coming, made me know that the attempt was made.

Q.—Well tell me, what was unsound in his teaching that you saw?

A.—I once heard him teach the doctrine that all we knew of the Holy Spirit was by and through the Scriptures; he said the Bible and the Holy Ghost was one and the something.

Q.—Anything more? A.—Oh, there were other things, but I couldn't give verbatim.

Q.—You are only there giving again the impression made on your mind as to what was said?

A.—Those are the words.

Q.—He used a great many other words at the sametime in connection with them?

A.—No, he got up and took up his Bible and just said so much and sat down.

Q.—Where was that said?

3940

A.—It was said at the Hixite Friends meeting house in Bloomfield at a funeral.

Q.—It was not said then at the Monthly Meeting or anything of that kind?

A.—No, but he and I were both at that meeting.

Q.—Repeat again what it was that was said?

A.—He said that he knew nothing of the workings of the Holy Spirit, and revelation only by and through the Scriptures, that the Bible and the Holy Ghost was one and the same thing.

Q.—Then what was it that you thought was particularly heretical in that assuming that that was said?

A.—Because I didn't believe it as a Friends doctrine, because we believed that the Holy Spirit was before the Scriptures.

3050

Q.—Suppose you hear a man in the meeting make a statement which you found against the Holy Scriptures, which do you consider the proper guide? The man's statement that he is moved by the Spirit or the Scripture?

A.—I don't think I would go to either for that; I think there is a spirit in man that will try those things; there is a witness within us that will tell.

Q.—According to your notion then the witness within you would be a better guide to say whether the person really was moved by the Spirit to make the utterances, than the Scriptures would be?

A.—I think our discipline is very clear on that point.

Q.—What does the discipline say? A.—I couldn't give you verbatim.

Q.—What is your idea of it?

3060

A.—The unction accompanying the words would bear, and be received in the hearts of the hearers as coming from the right source.

Q.—You might find a person stating something in meeting, saying that he was moved by the Spirit to make the statement, and if that were against the statement in the Holy Scriptures, you still might come to the conclusion that it was real Spirit which was moving him, and not the false or delusive Spirit?

A.—You mean to say that when we hear the Gospel preached and it carries that unction home to our hearts, that we receive it as coming from the right source?

Q.—No, suppose you find a person in the meeting apparently moved by the Spirit, getting up and saying that he was moved by the Spirit, to make a statement, and he made the statement, and you found the statement contrary to what is stated in the Holy Scriptures, what conclusion do you come to then? 3070

A.—Our discipline is very clear on that point, that Friends are to be careful to make such a statement as that.

Q.—What conclusion would you come to as to whether the Spirit really was moving him or not?

A.—That it was not in accordance with the Scriptures.

Q.—Yes?

A.—I don't think that Friends would find the assertion I have made; I don't think he would find anything in Scripture that would hold him out in it.

Q.—What would be your duty as a Friend to receive it or to reject it?

A.—To reject it; we believe what will be taught will be in accordance with the Scripture. 3080

Q.—And whatever would be against the teaching of the Scriptures, you would look upon as delusive? A.—Yes.

Q.—Now, what was there in Mr. Bowerman's statement at that time that you thought was against Scripture?

A.—Doing away with the work of the Holy Spirit.

Q.—In what way? A.—I afterwards heard him teach it.

Q.—Confining yourself to what occurred that particular day at this funeral?

A.—That all we knew of the Holy Spirit was by the reading of the Bible, while the Friends believed that the Spirit of the Lord striveth within men and with men.

Q.—Will you swear that what he said was that the only written revelation we had about the Holy Spirit was in the Bible? 3090

A.—The word "written" was not mentioned.

Q.—Will you undertake to trust to memory at this distance of time to state so positively about that?

A.—It was taken down at the time.

Q.—Where is the record of that ?

A.—My husband took it down ; I haven't got it with me.

Q.—Where is your husband ? A.—He is not here.

Q.—Where is he ? A.—At home.

Q.—And you have not got the record ? A.—He is an invalid.

Q.—And you have not got the record of it here ? A.—No.

3100

Q.—How do you know that he had taken it down ?

A.—He has since shown it to me ; we were both struck with the forcible manner in which he said the words.

Q.—And he immediately got his pencil and wrote it down ? A.—Yes.

Q.—Did you ever go to Bowerman and remonstrate with him ?

A.—No ; we found it unavailing the labor of doing so.

Q.—Did you speak to him—to any of the Elders with a view of getting this old heresay corrected ?

A.—This was after he got his way through the meeting ; there was no use after that trying to get it corrected.

Q.—You made no attempt ? A.—No. because it was useless.

3110

Q.—Now, he is the only one of the whole number of Friends, of whose theological teachings, at all events you are complaining, and you can't remember any instance now of anyone of your own Friends being there at the Monthly Meeting ?

A.—I have heard him and some others teach different doctrines ; I heard Robert Saylor, on one occasion saying, all we had to do was to believe.

Q.—When was that said ?

A.—I couldn't give the day nor the date, because I didn't expect ever to be brought to this place.

Q.—When did he say that ? A.—One of our home meetings there.

Q.—In the course—— ? A.—Of a religious meeting.

Q.—Is he an elder or a minister, or just a member ?

3120

A.—At that time he was only a private member.

Q.—And was he making a statement to the meeting or a speech to the meeting ?

A.—He was evidently speaking what he supposed at least apparently that was intended for gospel.

Q.—Moved thereunto by the spirit I suppose ?

A.—That would be what we would allow I suppose.

Q.—How long did he speak on the occasion ? A.—I could'nt say.

Q.—Half an hour ? A.—No I don't think he did as long as that.

Q.—Quarter of an hour ? A.—I couldn't say the time.

Q.—What was the general subject on which he was speaking ? A.—It was on belief.

Q.—What were the particular words that you thought were erroneous? Can you give me the 3130 words ?

A.—The only belief—only believe, and they would be saved; I think he quoted the words "believe on the Lord Jesus Christ and thou shalt be saved," but he confined to belief alone.

Q.—He quoted the very expression of our Saviour ? A.—He did.

Q.—Then what was wrong about that ? A.—He confined it right down to simple belief.

Q.—Did he say so in so many words ? A.—He did say, simply believe.

Q.—What did he say ? A.—He said those words, simply believe.

Q.—And thou shalt be saved—nothing more than that; that was not the whole of his speech ?

A.—I couldn't remember the whole; but the whole teaching was that it was simply a fact of belief—the whole teaching right through the testimony, that it was simply an act to believe and they 3140 would be saved; he did not teach repentance nor anything of that kind.

Q.—I suppose he couldn't very well teach all the doctrines in a ten minutes' speech ?

A.—It was long enough to have a word in repentance.

Q.—And then because he didn't bring in repentance you came to the conclusion thas he was teaching the meeting that faith without repentance would save you.

A.—I heard him—

Q.—Speaking of that occasion, you came to the conclusion that because he didn't say anything about repentance that he meant to exclude repentance ?

A.—If a Friend made such a statement but once, we could overlook it, but when we hear it repeated at different times—

3150

Q.—If that statement had been made entirely by itself you wouldn't have thought anythink of it ?

A.—Not just once alone, but hearing it repeated—

Q.—How often besides that occasion have you heard Saylor speak about the same subject of faith ?

A.—I couldn't tell but more than that once.

Q.—Will you swear you ever heard him before ?

A.—I have heard him since.

Q.—On what occasion did you hear him since ? A.—I couldn't give the time.

Q.—Well you don't expect I suppose, that every time a member appears to be moved by the Spirit to speak,—you don't believe he is always moved by the Spirit—do you ?

A.—If he gets up to speak in religious meeting for worship, he ought to be.

3160

Q.—Do you believe a member is ever mistaken about being moved by the spirit ?

A.—I believe it is possible.

Q.—Then you will not say that Mr. Saylor may not have believed at the time, that he was moved by the spirit ? in fact you don't pretend to say he didn't believe himself he was moved by the spirit do you ?

A.—No I wouldn't say that

Q.—Then your very discipline seems to contemplate that in two ways because the passage on page 9 that I have referred to seems to contemplate the idea of being mistaken about it, and then there is another passage in the discipline where by it made the duty of the elders if they find a person has spoken unsound doctrine, to deal with them in a spirit of love with a view of restoring them to soundness of belief of course that must be a case where if such a case rises, it must be a case where such a person is deceived as to being moved by the spirit ?

3170

A.—Yes.

Q.—Then how early before '81 when you separated had you made up your mind that there would be a separation on account of unsoundness of doctrine ?

A.—I don't think we made up our minds—I am very sure I hadn't.

Q.—Very sure you hadn't made up your mind at all as to that ?

A.—I felt the time would come sometime or another unless there was a very great change.

Q.—That is to say, you were driven more widely apart ? A.—Yes.

Q.—Had you made up your mind at the Yearly Meeting in '80 that the separation was inevitable ?

3180

A.—In '80 I made up my mind that there would have to be a separation, but I had never seen the time before but in that Yearly Meeting when it received the new discipline and put the Yearly Meeting some where else I thought I could feel God's hand was in it, making a way for us to hold our meetings there the next year, but I never mentioned it to another Friend for months.

COURT.—At that meeting you looked forward to separation being inevitable ?

A.—That was the first time that it ever presented itself to me, that it would be.

Q.—Was that before you had gone to the meeting or while still at the meeting ?

A.—While I was in meeting when these things were before it.

Q.—I understand you didn't object to a change of discipline but you objected to the mode in which the change was brought about ?

3190

A.—We proposed for the disciplines to be sent down and leave it over another year and let it go down to the Quarterly Monthly and Preparative Meetings, and let our friends at home have a chance to express their minds on it, and then if it came up in unity from those meetings another year we were willing to withdraw our objections : that was what we pled for.

Q.—You know of course historically as matter of tradition there have been several revisions of discipline from time to time in the body ?

A.—I do and it is always based in unity.

Q.—But I suppose, never entire unanimity, there might be some people a few in number perhaps opposed, though not very strongly to the changes ?

A.—I think the way the discipline of '59 passed was this New York '59—the discipline of '1810 had had changes made in it now and then and those changes or representations had been sent down to the Quarterly Meeting and approved of and gone back to New York Meeting and slips had been pasted there where changes had been made in the different disciplines : that edition had run out and there not enough of them : and it was thought best as there was more meetings, to have a reprint : the way I have always understood it at the time was that it was brought before the Yearly Meeting for an alteration ; I may labor under a mistake : I state this as I have understood it : I state it as I understood the case, not as a real fact : I only state my understanding of the matter and that when that discipline came in 1810 or the year before that, it says that it went down at one time it went down whole to all the Meetings and was acted on, and then the next time these small alterations you speak of came down to the quarter and were acted upon and reported at the Yearly Meeting and made, and then when the time came for re-print and re-issue of the discipline in order that we might have more of them, it was thought to make some trifling change in it, and it was done so, and done at the Yearly Meeting, but done in unity, always understood it was a united thing : I never have heard that there was one even objecting voice, and in that way it went unanimous.

COURT—These alterations that were made from time to time, any material effect upon the doctrine these alterations that were made in the discipline of 1810 ?

A.—No only in some of the management.

Q.—Only as to matters of management ? A.—Yes.

Q.—But curiously enough there is a good deal more statement of the doctrine in '59 than in '10.

A.—There was no change in the doctrine brought forward.

3220

Q.—From time to time while you were a member of the Society of Friends, I think you said you had been 36 years a member, from time to time while you still belonged to the New York Yearly Meeting

while you still belonged to the Yearly Meeting and you were under the New York Yearly Meeting of course.

A.—Yes.

Q.—From time to time before the discipline of '59, changes were made in the old discipline, a change here and a change there ?

A.—That is what I referred to.

Q.—These were made the by Yearly Meeting themselves ?

A.—No propositions went up from the Quarterly Meeting.

3230

Q.—Being asked by the Quarterly to make the change ?

A.—Yes, and then in the Quarterly it was on some occasions sent down to the other quarter.

Q.—For instance I find in this old book a change as to marriages ? A.—Yes there was a change.

Q.—For instance I find this struck out at the second Monthly Meeting there, and another change I notice is in reference to the prohibitions—they seem to have struck out the prohibition of marriage between a man and his deceased wife's sister.

A.—Those are the changes I have reference to ; book "C" referred to.

Q.—Then towards the same spirit pasted on pages 60 and 61 ?

A.— Those were all made at different times ; they were not all done at once.

Q.—But the legislative body to make the change was of course the Yearly Meeting.

3240

A.—The Quarterly sent up.

Q.—When you came to make the change the authority by which to do it was, of course, the Yearly Meeting ?

A.—I have always thought there was a few of those that came down to the other quarter to be acted on, and then went back, but I would not be positive.

Q.—What I want to get at is whether you don't understand that the legislative body to make the change was the Yearly Meeting ?

A.—The Yearly Meeting did it, but it was done in unity.

COURT.—Q.—When you say, passed in unity do you mean passed unanimously without dissent ?

A.—I have always understood that the discipline of '59, when it was passed was passed unani- 3250 mously ; I never heard that there was one dissenting voice ; there may have been.

Q.—That is so long ago, of course, that you would not have known anything about it ?

A.—I only speak it from circumstantial evidence.

Q.—But there is no reason why there could be any difference between the passing a discipline and doing anything else on the part of the Yearly Meeting, as to whether you want unanimity or not?

A.—So long as it is done in unity.

Q.—You use the term “unity” as applied to all the acts of the Yearly Meeting? A.—Yes.

Q.—Now, is there anybody else of whose teaching you complained, except Robert Saylor, of your own members?

A.—I don't remember now.

3260

Q.—I don't think you have mentioned any person, except him?

A.—I think I did mention another name.

Q.—Who is the other. A.—It almost seems that I named another name.

Q.—The discipline which was adopted at the June meeting in '80, was simply the New York discipline which they had adopted in '70?

A.—The New York has made a new discipline after I separated from them, after we set up, and had passed it upon their members, but didn't go in unity, and went down to some of their members, and some of the members took it back the second year, and they didn't do it.

Q.—It went into operation, at all events in New York?

A.—It went into operation; it made trouble among them there; and it has brought some trouble here. 3270

Q.—It went into operation, at all events by the body in New York? A.—Yes.

Q.—What the majority or whoever they were in '80, of the body, assumed to do in '80, was to adopt the same discipline? Which in '78 went into operation in New York; that is what you understood?

A.—It is the same discipline adopted by Canada; it is the New York discipline adopted by Canada.

Q.—You yourself have not compared these disciplines—have you?

A.—I have had no chance to compare them, other than in regard to receiving members; Woodward came to our house last winter, and brought the discipline with him, and he wished me to point out what objections I had to that discipline, and I told him I didn't feel at liberty to do so, not knowing what way he might use it; rather he wanted me to point out unsound doctrine, and I told him I disapproved of their manner of making Elders, it being very different from ours. 3280

COURT.—Q.—That is, the manner of appointment for three years you mean? A.—Yes.

Q.—Then you are not able yourself to tell us actually what differences, if any, between the two disciplines are?

A.—I said in regard to the taking in of the members and elders those two portions I have heard read—I disapproved of the manner of taking them in : so different, the way it is done under the new from what it was under the old.

COURT.—In regard to the admission of members and making of elders you didn't approve of the new discipline ? 3290

A.—No because in the one case they can be brought in, and no nothing of the principles of Friends while in the other they obliged to be acquainted with the principals of Friends before they can be received.

Q.—Is that the only difference that you know of ?

A.—There are other things that I couldn't—as I said my memory don't always serve me just at the time.

Q.—Is there any doctrine in the new discipline which is not taught in the old ?

A.—I have not read the doctrine points so much : I couldn't go into that : I simply heard them read the once.

Q.—Now are you quite sure that as far back as '77 you didn't contemplate a separation ? there— 3300
“F. I.” is a letter I have signed by your husband ?

A.—My husbands views and mine are not the same always.

Q.—That is his writing isn't it ? A.—Yes.

Q.—He seems to have written a letter as far back as July 31st. '77 written to Joseph Wilsey by Mr. Levi Varney—reading it to witness ?

A.—I don't apprehend by my husband using that word, that we meant separation was coming, but he thought that if things went on as they had, that if we stood as a people we would have to stand firm or a separation would be brought about ; I am satisfied he had nothing further than that in view at the time.

Q.—You were contemplating a separation at that time as far back as '77 ? 3310

A.—I don't think it was in contemplation other than he seemed to look forward to what it might be to what it might eventually lead to : that was all.

Q.—Were you and your husband agreed about this thing ? of one mind as to it or did you form a stronger view about it than he did ?

A.—I think we were united in one sense of the word : we neither approved on it.

Q.—Was your disapproval of it stronger than his ? A.—I really don't know.

COURT.—Your husbands' views you think were influenced by the spirit of innovation that seemed to be beginning in the body ?

A.—That is what he had reference to, that that was coming in he thought it would drive the society to bring it to that, that is what I think he had reference to : I am confident no such thing was contemplated on his part or mine, at that time : it was simply saying what it would lead to. 3320

Q.—Now you have been put forward as a judge of the theology of Friends where do you get an idea or a proper description of the beliefs of the Friends, outside the discipline of '59 ?

A.—Barclay's apology one of the standard works.

Q.—Anything else ?

A.—Evans' exposition is another : Elisha Bate's doctrine is another.

Q.—Any other ?

A.—I don't just at this moment call another to my mind : there are others.

COURT.—These are standard works containing doctrines believed by the society ? A.—Yes.

Q.—Are they all agreed ?

3330

A.—Yes, I don't know of any difference in them ; I have never discovered any in reading them.

Q.—Then anything which you found in Barclay's theology, above all other things, you would stand by ?

A.—So far as any of it in the printed writing of Friends is concerned—yes.

Q.—Of course, it is a well-known book, everybody has got it ?

A.—I am aware you can take part of that book, and make one sense out of it, and read a little further on, and it would read very differently.

Q.—Then you would not be willing ; I should judge your views by reading half a page from Barclay ?

A.—If you would go on and read the whole chapter right through, take in the whole of it, you will find the winding up generally will be what—will be the conclusion of the whole, but you could take a portion of the middle of it, and I presume it is on singing that you have reference to. 3340

Q.—Barclay did say something about singing ?

A.—In the concluding minute—I think I gave the page and section to one of our lawyers' last year—I have not looked at it since, for I hope never to come to the court room again.

Q.—You don't condemn all singing in church or in meeting ?

A.—Where the societies believe in it.

Q.—Do you yourself condemn all singing in church or in meeting ?

A.—I believe I sang in religious bodies myself, until the spirit of condemnation came upon me

while singing a hymn, that I was singing, that my heart was not in a fit state to sing, and therefore it 3350 was not right for me to perform it as an act of worship, and from that day to this—at that time I was a Methodist—from that day to this; I have never sang as an act of worship, though formerly I sang in all meetings.

Q.—Will you undertake to say it is wrong for one who is really moved by the spirit to sing?

A.—If anyone is moved by the spirit to sing, it will not be the words of another man, with a tune set by some other person; according to Barclay's conclusions, he says it will be in the words given them at the time, and the voice at the time; there will not be no set tune.

Q.—Then I understand, unless the particular person is a poet and able to compose the words as well as the music which he sings, he oughtn't to sing at all?

A.—I apprehend the singing if any was done among the early Friends, which after a few years 3360 died out—it was done as well-known to the light of the church; that society of Friends came out from the Church of England, and it was done I apprehend more in the form of the chanting that was done at that time in that church.

Q.—That is a species of singing?

A.—Yes, and I apprehend the singing among Friends at that early day was of that, and not according to the music and order of doing it at present.

Q.—Do you consider that wrong? A.—I never said so.

Q.—Chanting you consider not wrong, while the singing you do—is it wrong?

A.—If any Friend felt words and a voice come with it, not a regular tune such as song, I don't know that I could object to that. 3370

Q.—You would not object to it if the tune was one that had ever been sung by anyone before?

A.—We believe in the kind of singing done by Deborah.

Q.—What about David's singing?

A.—The psalms of David as he sang them, we don't apprehend that he taught it from any music or anything of that kind that was laid down.

Q.—Do you think David in his songs never sang these to any music he ever heard before?

A.—It is not for us to go into.

Q.—What you are trying to make out now is singing tunes that had never been sung by anybody else before was wrong—apparently?

A.—We believe it must be in the same spirit. It must be done in the same spirit. 3380

Q.—Do you think it not possible that the spirit may move one to sing the same tune, the same spirit, the same truth that some person else had sung before?

A.—We had very little faith in believing the singing of Moody and Sankey's hymns in a Friends meeting, is just the meaning of it.

Q.—You have read the "Rock of Ages"? A.—Yes and sang it in times past.

Q.—Do you consider anything unsound in theological view in that hymn—is there any unsoundness contained in the words of that hymn?

A.—I don't remember the words of the hymn now; I do so far as I remember; I don't remember the words were unsound.

Q.—Do you think it not probable that a Christian might be moved with the spirit to sing that hymn? 3390

A.—I don't know.

Q.—Would you go so far as to say it is impossible to be moved by the spirit to sing that hymn?

A.—I wouldn't be willing to say one way or the other under an affirmation.

Q.—You wouldn't say, if a person got up in a meeting and sang that hymn to the same music you ordinarily hear it to, the "Rock of Ages"—would you say that from the mere fact of that being sung and written before, that person was not moved by the spirit when he sung it?

A.—Not been generally thought best for any of our members to do anything in our meetings that would wound the spirit of another that might not believe in those things.

Q.—You have no reason to believe that they would disbelieve what was in the "Rock of Ages" hymn anymore than you might in an ordinary prayer? 3400

A.—There are a great many good words said in a great many hymns that none of us could disapprove, but we would disapprove of it as an act of worship in a Friends' meeting; we couldn't disapprove of it under another.

Q.—Do I understand you to say that under no circumstances singing anything which a person has learned or committed to memory is acceptable as an act of worship?

A.—I can say this much, that having had a voice for singing I was counted a good singer, and in the habit of singing in other meetings; I never yet felt myself called to sing in Friends' meeting.

Q.—Will you undertake to say that all people may not have a call to sing?

A.—I can't say I would approve of singing in a Friend's meeting.

3410

Q.—To what Church or Christian body did you belong before joining the Society of Friends?

A.—I never joined any, though requested by different meetings to join.

Q.—To what church did your parents belong?

A.—My mother belonged to the Hixite Friends.

Q.—And your father?

A.—My father was disowned; when the Hixite separation took place they went with that body; and my father was disowned by the Hixites, and didn't belong to any after that.

Q.—The Hixites were disowned for heresy? A.—Yes.

Q.—And possibly you may be more sensitive too—I want to see what influences were about you—do you think it not possible that you may have been more sensitive in consequence of that? I fancy 3420 a great many good people that are in the Hixites belong to the Hixites?

A.—I am not ashamed of that but I said this morning that I had had to leave all and come out and join the Friends; it was because I felt I was not a member among the Hixites ever, I had never went to that body—my father left me free.

Q.—I incline to think you are over sensitive about these things and perhaps for that reason I have just now got out, now you say that your gift as a minister was acknowledged a good many years ago about '54 or '55?

A.—'64 or '65.

Q.—And since then you have been preaching and teaching in meeting more or less?

A.—Yes.

3430

Q.—Now I think you undertook to say that you yourself never since conviction came to you that it was wrong to sing, that you yourself have never sung in meetings?

A.—Not as an act of worship I said.

Q.—Though you had a good voice? A.—I used to.

Q.—What are the acts of worship to which you have confined yourself?

A.—Prayer and praise and teaching.

Q.—Praise in what way? A.—On the bended knee, and thanksgiving.

Q.—As part of your prayer? A. Yes, as a prayer of thanksgiving.

Q.—But you yourself have never praised vocally in any way?

A.—Other than that; I stood on my feet and rendered praise.

3440

Q.—Have you been present yourself when any person was ever moved to sing in meeting or ever said that he was moved to sing and did sing?

A.—I have been present when they did sing.

Q.—Frequently?

A.—Not very many times from the fact, as I said before when I thought such was going to be the case, I stayed away.

Q.—Then you had so strong a view about this that you were not willing to be present when the

singing was done in the meeing ?

A.—When these new practices were being done that alone was not what kept me away.

Q.—But you had a stronger view I suppose about singing than anything else I should judge—any 3450
other of the practices ?

A.—No I hope I am firmly established in them all.

Q.—You think your view was equally strong upon the subject of the whole of them ? A.—Yes.

Q.—Now was your theological view or were your theological views formed from reading these books that you have us as the standard works or from reading the Bible ?

A.—From the teachings of God's holy spirit in my heart in connection with the Bible.

Q.—Your theological views have been formed from the inspiration in fact given to yourself in that way drawn from the bible ?

A.—Yes, and in reading those books I found they corresponded with my own feelings.

Q.—Then it is only because these books correspond with the feeling you had in your own mind 3460
which had been formed in your own mind that you accept them as expositions of what the Friends
theology is ?

A.—I believe they are considered the standard works of Friends.

Q.—Now do you know the writings of Penn ?

A.—Yes, but I have not read so much in them as some of the others, some others.

Q.—Do you know whether they are accepted by Friends as proper expositions of the views of
Friends ?

A.—Yes they are, " Penn's rise and progress."

Q.—And of course Fox, the Founder's writings also ?

A.—Certainly, I have read his also, I have not read the whole of Penn's, I have read Penn's "rise 3470
and progress" and some others.

Q.—Do you know whether any change has taken place in the belief of the Friends, in the belief of
the great mass of the society of Friends throughout the world within 20 or 25 years ?

A.—I should think so.

Q.—In belief I mean ? A.—Yes.

Q.—You think that more or less change has taken place in that way ?

A.—Yes, I am satisfied there has from what I have seen.

Well then if you believe that you are to interpret the Bible in the light of the Holy Spirit according

to your creed, the religion must be a progressive one, must it not, or may be a progressive one would be the proper term to use, don't you believe that new light may be given from time to time by the influence of the Spirit ? 3480

A.—I think when it comes it will hardly lead out of the things we have been into.

Q.—In the understanding and interpretation of scripture ?

A.—I believe if God led me out of some of those things in the first start, I don't think he will lead me back, I don't think the Spirit ever contradicts itself.

Q.—Then you are so satisfied you had got a so full revelation at first from the Spirit, you don't think there is any room left to give you any fuller revelation ?

A.—I don't say that because I believe I will be a learner as long as I live,

Q.—And in the course of that learning additional truth is not imparted to your memory ?

A.—I believe God showed me clearly it was not right for me to sing in meeting, and that he would not bring me back again into it. 3490

Q.—Dealing with the subject of your belief, do you mean to say as years go on, and you get older and more experienced that fuller revelations not given to you, so that you may understand the scripture in the new light in which you had not understood it before ?

A.—I don't think if he has brought me out from the mourners bench, he is going to take me back again into it.

Q.—In other words you believe from the time you get this new conviction, whatever it was, the whole truth was fully revealed to you and that no fuller remained ?

A.—No, it was not all revealed to me at once.

Q.—Well when was it fully revealed, or is it fully revealed yet to you ? 3500

A.—It was a gradual growth.

Q.—Now do you mean to say the growth is stopped ? A.—No, I don't.

Q.—Well if so, how can you say that the writings of Barclay and the others contain the whole truth, if the revelation to you and to every believer every member in the society is a gradual one, and the progress gradual, how is it that you make out that there could be no further revelation to the society now than had been given to Barclay when he wrote his book nearly 200 years ago.

A.—I am aware that that is what is stated in the present day, that they have light further on the subject than they ever had before, but I never have seen that light.

Q.—I suppose you would hardly undertake to say that to the others, there might have been a fuller revelation than to you ? 3510

A.—That is one of their new doctrines, I know, that they have had further light on the subject ;

and these new doctrines are that if that fuller light can't put light into the house, they are going back to the things our fathers had.

Q.—You say this new light is upset by the greater one ? A.—I don't understand it so.

Q.—In this country ? A.—In this country.

Q.—Throughout the world, you say some errors have crept in in England and Ireland, and other places in the States ?

A.—I can't speak for England and Ireland, how far it has gone there.

Q.—I understood you to say it had gone to some extent ? A.—I know change has taken place.

Q.—Now, I want to see how far you are an accurate judge and expert about these matters you have 3520 been telling us about ; now, will you just take for one instance the matter you have spoken of yourself, and give me a definition of the doctrine of repentance, as understood by the Society of Friends ?

A.—It is the manifestation of the spirit given to every man to profit with all ; the spirit of the Lord strives with man ; he condemns him for sin ; and it causes him to see that he is a sinner and it brings him to the foot of the cross to behold his Saviour as the one propitiatory sacrifice between God and man, and as he repents of his sins, and we read that Godly sorrow is not to be repented of ; as he comes to the knowledge of that and gives up his own will and knows of his putting off the old man with his deeds and putting on the new man Christ Jesus, and he is regenerated and born again ; his doctrines are changed and he becomes a new man, a babe in Christ Jesus, and he then grows in grace and in the knowledge of his Lord and Saviour.

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Q.—Do you want to add anything to that ?

A.—We could carry it to an indefinite length, but I don't think it is necessary.

Q.—You think that a complete definition, as you understand of repentance, to have been there by the Society, to have been believed in by the Society of Friends ?

A.—Others might explain it much more fully than myself ; I never counted myself an expert in those things.

Q.—Now, what is the teaching of the Society upon the subject of the new birth ?

A.—I couldn't go into those things as minutely as many others here.

Q.—What is your idea of it ?

A.—Unless, I felt myself accounted to speak it, I wouldn't feel that I was in the least qualified to 3540 explain it ; there are others here, members that will be far superior to me in those points.

Q.—At present you are unable to give us the definition of what the doctrine of new birth is, that is believed in by the Society of Friends ?

A.—I think I pretty fully gave that a few minutes ago ; I gave both repentance and new birth.

Q.—You consider that definition you have given of repentance answers the answers the old and

new birth, and you have nothing to add to that ?

A.—On reflection I might, but I don't think it is necessary, I think that will cover the ground.

Q.—Now is there anything in any of the books that you can tell me about Christ's second appearance, you say the second appearance of Christ is the presence of the Comforter as I understand ?

A.—We take it where the Saviour spoke of the coming of the Saviour when He was come, when 3550 the Spirit of truth was come, He was to take the things of God and reveal them.

Q.—Now tell me where, in the writings of the society of Friends will be found any statement that Christ is not to come a second time personally in the body, do you know of any statement ?

A.—I do.

Q.—Where is it to be found ?

A.—In some of Joseph John Gurney's writings which was the cause of a split years ago in New England.

Q.—Is there anything in Barclay about it ?

A.—I couldn't say just at this moment.

COURT.—Q.—What view did Mr. Gurney take ?

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A.—I couldn't give it now, only I know that he did in his writings refer to that, but I couldn't give the words, that he believed that Christ would come personally again on the earth, I think it will be found in one of his books, I am quite certain it will.

Q.—Are you quite sure you have got the right person, because the Gurneyites were considered orthodox weren't they ?

A.—But as I said that thing made a split, there were two books that Joseph John Gurney wrote that even the London Yearly Meeting was not satisfied with. and that brought a great deal of trouble in the society, those two books did.

Q.—Was that statement which you say was in his writings about the second coming of Christ upon the earth considered heterodox at the time, by the society of Friends ?

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A.—It was not considered in accordance with Friends' doctrine at that time, was what made the split.

Q.—Do you consider that a cardinal part of the Friends doctrine the disbelief in the second coming of Christ ?

A.—I never felt that it was an important point to teach.

Q.—I don't see anything in the discipline about it, or in the declaration of theological belief which precedes the discipline anything that touches that question ?

A.—No.

Q.—Is that moot point among the society of Friends, because amongst other Christian bodies, I know there are very wide differences in opinion ?

3580

A.—I am aware of it.

Q.—Are there not some differences of opinion among the members of the society ?

A.—I know that it has been taught by those that teach the new doctrines, I know that the second coming of Christ has been taught, and the resurrection of the body, but the resurrection of the body never used to be taught by Friends, but it originated in those writings.

Q.—Do you consider the teaching of the resurrection of the body unsound ?

A.—It is not considered so, it is taught by Friends that we can know of our salvation through Christ, without teaching that, and leave that to the Master.

Q.—You, yourself I understand, don't believe in the resurrection of the body ?

A.—I never said I did or did'nt.

3590

Q.—Do you yourself believe in the resurrection of the body ?

A.—I am willing to leave that with my Heavenly Father.

Q.—Do you believe it ?

A.—I have always felt to leave it in that way.

Q.—Do you believe there is to be a resurrection of the dead ?

A.—I believe we must all appear before the judgment seat of Christ, every one of us, but in what form or what manner it is not for me to say ; I am willing to take apostolic teaching for that.

Q.—Do you believe that the body will not be raised ?

A.—I am willing to leave that with my Heavenly Father.

Q.—I ask you now upon your affirmation what you believe as to that ?

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A.—A believe it just in that way ; I believe that I ever from my first coming, was willing to leave it, if he saw fit to raise the body.

Q.—I want to see what your statement of the theology according to your law is upon the subject of the resurrection of the body ?

A.—I am not willing to be considered as an expert.

COURT.—I don't think that can be pressed any further, because she refers to the discipline and the discipline deals with that.

Q.—Then there is not unanimity among the members of the Society as to how that is understood ?

A.—Our own members at the present time believe just that and nothing further.

Q.—I suppose all Christian bodies believe that, but the question is what that means ?

3610

A.—I believe that every soul must stand before the judgment seat of Christ.

Q.—Don't you believe in the resurrection of the body ?

A.—I have stated I believe that just as it is stated there in the discipline, whatever that means.

Q.—Then what does the Society teach, or is there any theology on the part of the Society upon the subject of conversion ? What is the belief of the Society upon that subject ?

A.—What I stated here before.

COURT.—Same as the new birth ?

A.—Same as new birth ; repentance and the new birth mean the same thing ; change of heart, conversion from nature to Christ.

Q.—I should infer from what you say, that you yourself had been converted instantaneously, while 3620 you were singing you got some new revelation that satisfied you you were not right in singing ?

A.—I would not wish anyone to understand by that, that I was converted—on that one point.

Q.—Then you don't believe that instantaneous conversion is possible at all ?

A.—I do, because all things are possible with God.

Q.—Well then if it is possible, how do you make instantaneous conversion the belief in that ; how do you make that out to be heresy seeing that it is possible there may be an instantaneous conversion, because I suppose the Apostle Paul was converted instantaneously—wasn't he, according to the account ?

A.—It seems it was not in a moment, because it was some little time before the scales fell from his eyes ; it was not all done at once, I don't understand it by the Scriptures.

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Q.— But he became convinced of the truth ?

A.—He was convicted and convinced, but it was a work of time even then ; it don't show that it was done instantaneously—in a moment.

Q.—But it was not a gradual thing with him ? A.—It was done much more specially with him.

Q.—If it is possible there may be instantaneous conversion, how do you make out it is heretical to teach that ?

A.—Because we believe as a general thing, it is the work of the Holy Spirit in the heart first producing conviction and afterwards conversion.

Q.—You will not undertake to say, to lay bounds to the power of the Spirit ?

A.—I would be very sorry to do anything of the kind.

3640

Q.—What do you consider wrong in revival meetings, or what do you mean by a revival meeting to begin with, because we may not understand the same thing ?

A.—Revival meetings were referred to, but I didn't use the term.

Q.—You answered questions my learned friend put to you about revival meetings ?

A.—Well, I said I had never attended any of those meetings.

Q.—Why do you think no good might come from a revival meeting ? A.—I didn't say so.

Q.—Then good may come from a revival meeting according to your idea ?

A.—It may come, but I don't think it advances Quakerism.

Q.—Quakerism is Christianity isn't it ? A.—It is.

Q.—Supposed to be the simplest form of Christianity ?

3650

A.—A person may be a member of the religious body of Friends but not know the first principles of Quakerism.

Q.—Is there anything in Quakerism do you know can you tell me anything ?

A.—I objected to the discipline on those grounds that the members could be taken in that way in those meetings, without knowing what the principles were, of the body to which they were going to join themselves.

Q.—Do you think the new discipline has made any difference in that respect ?

A.—In the manner of taking in members, it is.

Q.—In what way ?

A.—If they say they are saved, if they say they are converted, why they take Him in ; they could be taken in that way. I have had my attention directed to that particular subject, and I have not discovered any difference between the two disciplines in reference to this point ; when Luke Woodward was at our place, and that question was brought up I then had a discipline of George Fox in my hand.

Q.—Dealing with the discipline of '59 and the one of '80 ?

A.—But I was going to say they correspond, but in the other it went a little fuller and plainer than it does in this ; I mean the one of George Fox day showed there what care should be used to know whether these persons lived Godly lives before they were taken in.

Q.—What difference is there in the matter of taking in the members, new members, between the discipline of '59 and that of '80, is there any ?

A.—The difference is this—in one case it may go to a person who has come forward and said they were converted in a revival meeting ; it can go to that individual immediately, and if he says he is con-

3670

verted they can report to the Monthly Meeting and take him in, and that individual couldn't tell why Friends used plain dress and language and numerically—what belief the Friends had in the the resurrection or in any of these points you have spoken of, and yet at the same time he would be taken in at once on his conversion, without knowing whether he was going to stand and lead a godly life or not.

Q.—So he might under the discipline of '59—it would be for the monthly meeting in each case to say?

A.—It was done I know under the discipline of '59, and there is where the trouble came in.

Q.—Is there any real difference in the power of the monthly meeting taking new members in under the discipline of '59, and that under the discipline of '80?

3689

A.—It is done differently from what it was.

Q.—Is there any difference?

A.—I know that in the bringing of the one under '59 the Friends used to have a great care always under it until different things were carried very differently, and until that time came.

Q.—All that is a matter for the Monthly Meeting?

A.—Always before, Friends would not take a member in, until it was known they lived a godly life and were suitable of conversation, but were suddenly changed here and taken in when there is no chance to know whether they are living godly lives or not.

Q.—All that depends in both cases, upon the action of the Monthly Meeting, the fault if there is a fault, lies with the Monthly, is there really any difference between the discipline of '59 and that of '80 upon the subject of taking members in?

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A.—The difference is the way in which it is carried out; they carried out the discipline of '59 very differently from what it was ever designed to be carried out, it was where friends opposed that matter of bringing in, and we thought that if they took such liberties in the '59 discipline, they would take greater under the new one.

Q.—Now one of the things I see you complain of against this man Kenworthy was his saying that he was full of the spirit all the time, so that he was able to speak all the time—is there anything at all in the theology of the friends that forbids that being possible?

A.—There has been in their practices.

Q.—I suppose you would not undertake to lay limits to the spirit?

3700

A.—I would not wish to limit the spirit. I spoke of those things as being new practices entirely among us.

Q.—It is not a question of practice, it is a question of simply whether the spirit is actuating the person at the time?

A.—Friends have always believed that each time they needed fresh baptism for service, and we must wait until we are endued with power from on high before we are qualified in any way to believe the

unsearchable riches of Christ in the demonstration of spirit with power.

Q.—Is there any way of judging except the inward monitor of in every persons own breast?

A.—We think when the ministry comes to light, there will be that unction in him that when those that hear it it will reach the spirit within, and it will acknowledge the truth of those things. 3710

Q.—In that case, do you mean people that heard it would be able to judge whether the other was moved by the spirit?

A.—Yes, religiously inclined persons would.

Q.—The members who were there? A.—Yes.

Q.—Would be able to judge from something within themselves? which they couldn't define, to say whether or not it was the genuine or only a false spirit that was actuating them, that is what you understand is that so?

A.—That is what Friends judge by, I think you will find it in the discipline that way, in "Advice to Ministers and Elders," under that heading Advice to Ministers and Elders of what would be the true evidence of the ministry. 3720

Q.—Well then the man himself is not to judge the speaker whether he is moved by the Spirit or not?

A.—If he is what he ought to be, he ought to be a judge, before he rises from his seat, whether he is called to that service or not.

Q.—Well then unless the hearers are moved in the same way to accept what he says as the teaching of the Spirit, in the same way that he is, either one or the other of them is mistaken, according to your view—then you say that you saw Kenworthy practice this erroneous doctrine?

A.—He came in I think, his coat on his arm, and he laid it on the box in front of him, and he thanked God—he commenced talking as he came up the aisle, but I could'n't catch the first words, but he said he thanked God he didn't have to wait for the influence of the Holy Spirit, that he was full. 3730

Q.—Do you think that not possible to be true?

A.—I think testimony will bear and carry unction with it.

Q.—It didn't carry unction to you because apparently you had a strong feeling against Kenworthy, you weren't in unity with him, and you wouldn't expect if you weren't in unity with him that the unction would be carried to you?

A.—I have heard people speak whose words I could—whose ways I could'n't approve of, but whose words would reach my heart, I ever held a heart ready and open to hear gospel, let it come from what source it would.

Q.—You believe though you might not be in unity with a particular person if they speak of the gospel, it will affect you? 3740

A.—I believe I could keep myself in that state, that I could receive good, let it come from what source it would.

Q.—I understand you can't give me the numbers of persons, the names at least or the numbers of persons now belonging to the West Lake Monthly Meeting that formerly belonged to the other meeting?

A.—I can't do it.

Q.—Somebody else you think can?

A.—Yes; we have taken down names and found them, found it was full half of it—half of the monthly meeting, by taking down the names on paper; but I couldn't give you the names nor the numbers now.

3750

Q.—Then another subject I see you object to is new posture in prayer? Is there anything that you ever saw in any book of discipline upon the subject of posture in prayer?

A.—No other than we found by our friend's writings, that is all; that such was our custom; I couldn't now give the name of the friend. It is not a very great while since I read where they stood at prayer, and I always supposed the reason the friend stood was because when Solomon offered a prayer for the dedication of the temple, the people stood, and I disapproved of their sitting; the reason I spoke, I never thought it a reverential act; I thought when the Deity was addressed, out of reverence to the Deity, there should be a position corresponding with our standing or kneeling.

Q.—You knew very well reverence didn't consist in bodily reverence—the reverence of the spirit is that which is important?

3760

A.—Certainly it is; but I was very scrry to see our friends lay aside anything that would lessen the weight and reverence of a meeting to a Deity under such solemn act.

Q.—Do you think a person may not be just as reverent sitting as kneeling?

A.—I think a person might be lying on bed sick; I believe prayer no matter in what position will be heard; within the last year—but I couldn't tell justly where it was, but in some writings, I spoke to my husband at the time—I couldn't tell now—but it is in friend writings.

Q.—This is your husbands writing, pages 1 and 2, "F. I." book of your preparative meeting of Friends in the second month?

A.—Yes, as I said we all met together that day, page 1, meeting of defendant's body, the first meeting held, entitled minutes of the West Lake Preparative Meeting of Friends, commencing second month, 10th, '81.

Q.—This was the first thing you had done after the separation as a distinct body?

A.—The first thing we did after they left us.

Q.—Then the 17th was not the regular day prescribed for holding the Monthly Meeting, was it?

A.—O yes.

Q.—Sure about that, because I am told it was not ?

A.—They went to Wellington to their Monthly Meeting, and we held ours in the meeting-house the same day.

Q.—But according to the regular rotation of that Monthly Meeting it was to have been held, if you were in continuation of the old Society, at Wellington ?

3780

A.—At Wellington, if we had gone on with them, but we knew we couldn't do it without confusion.

Q.—Now it is quite clear according to the discipline which you know perfectly well that this Monthly Meeting could only have been set up by the quarterly, of course ?

A.—I understand that.

Q.—Now the Quarterly Meeting had fixed this Alternating System between Bloomfield and Wellington.

A.—There is no discipline for innovations ; we have no discipline that would meet the innovations that were brought in among us ; I said there was no discipline to meet those innovations, and therefore there was no alternative left for us but to take the course we pursued.

Q.—Unless you left and joined their Meeting. Joined them in their Meeting at Wellington.

3790

A. We could't unite, and we never lived a day under that discipline ; they were under a new discipline.

Q.—You didn't attempt at all events to go and join them in that Monthly Meeting at Wellington ?

A.—No we were not members under that discipline ; I never considered myself a member under that discipline.

Q.—Now I am told that some of our people say you are not right in saying that discipline was adopted by a show of hands.

A.—I didn't say it was.

Q.—It was not adopted in that way. A.—O, not the adoption.

Q.—Now you made no attempt when the discipline was adopted, and I think that was some days 3800 before the Final Meeting, I find at page 41 of the Minutes for '80, this statement, and it is amongst the women's, " the remainder, if discipline, was read, and after the subject of the doctrine was considered and after prayerful consideration, it was the prevailing judgment that it should be recorded," and it was decided that it come into use on the 1st Month, 1st Day, '81. Elizabeth Spencer, Rogers, Garrot appointed a Joint Committee to consider how many copies of that discipline should be procured, and how disposed of, that is on the 29th July and on the 30th, they seem to have made an attempt to stay apparently the adoption of the discipline in any way ?

A.—It had passed then, and it would be considered out of order for us to call up anything again that had been passed.

Q.—Of course you don't know what was done in the men's meeting?

3810

A.—The most of that business was done in join session. With regard to the discipline I stated so this morning. Mr. Bethune refers also to the minute of page 16 of the men's meeting, and also pag 38 appears on the report.

Q.—Now I understand you to say that although a show of hands was called for at part of the deliberation, no show of hands was taken?

A.—Yes, there was a show of hands made, but it was not at the time it was adopted; I can't tell; the query was put forth. One was to know whether the meeting decided to have it read to meeting. First they were going to have us unite with it without reading it—juit hold up the book and ask if we received it, and whether it was on that point: there was one other thing that won't come to my remembrance now. There were two points, I know—this that was asked. It was on one of those that the show of hands was asked for, and I can't tell which it was; it was the first time and the only time I ever knew. There were a few hands raised from the men's side. 3820

Q.—I am told some other Friends who were there say that in that you are mistaken. Are you quite sure about that?

A.—I don't know that my own eyes would deceive me. I certainly saw the hands over on that side.

Q.—Was there an account taken of the show of hands?—did any person count them to see?

A.—It was simply in one of those two cases which would not be minuted down, which was only just kept open—there was no minute taken in the book, the same as there would be in the adoption of the discipline. 3830

Court.— There were two questions, I understand, at that meeting—the one whether the new discipline should be sent down to the lower jurisdiction and to the families, and then whether it should be adopted?

A.—Yes. Well it was one of those two questions, and I can't tell which of the two it was, but my impression is that it was concerning the reading of it, but I wouldn't like to be positive on the point; but if there was not a show of hands there, then my eyes deceive me.

BY MR. MACLENNAN—

Q.—Was the question of the new discipline considered separately by the Women's Yearly Meeting?

A.—No it was in joint session, it was considered.

Q.—What is meant by "open" session? A.—Yes. 3840

Q.—Is "open" session and "joint" session the same thing?

A.—Considered so with us; it is when the shutters are open between the two meetings; I suppose "joint" session would mean where they all sat through more or less.

Q.—How was it when the discipline was considered in the Yearly Meeting?

Q - The defendant is
a representative of the meeting at Bloomfield
a most

Q - This list is a list of the

Q - That was read from the minutes

Q - With regard to the position in regard to the position
number 10

A - 20 years I have been a member

Q - Now during all that time what was the position in regard to the position

A - Always standing up. Up to the time that the minutes show

Q - Until this recent period? A - Yes, always

Q - That was the practice during all those years?

A - Yes

Q - And

Q - And

Q - I think that was done in the Bloomfield
meeting was that not, they could not very little
bullet was

A.—It was with open shutters altogether.

Q.—Did the men and women mingle together ?

A.—No, sat each on our own side, only the shutters were open.

Q.—This appointment of the meeting at Bloomfield that was the Monthly Meeting was it, that was appointed to meet ?

A.—This that we have just spoken of.

3850

Q.—That was just read from the minutes ?

A.—Yes that was done because we couldn't meet with them without discussion and disturbance, and it was for peace sake.

Q.—And that is why you choose another place ? A.—Yes.

Q.—With regard to the posture in prayer you say you have been a member for 36 years ?

A.—36 years I have been a member.

Q.—Now during all that time what was the posture in prayer that was used ?

A.—Always standing up. Up to the time that the minutes show.

Q.—Until this recent period ? A.—Yes, always.

Q.—That was the practice during all those long years ?

3860

A.—Yes, and had been for very many years as long as I could remember, that had been the practice of friends.

Q.—And that was what you were always taught was the correct practice ? A.—Yes.

Q.—You say that in regard to new members being taken in, that they are taken in now under the present practice without any inquiry as to their knowledge of friends' principles and friends' practices and doctrines ?

A.—I think there were some taken in the Bloomfield Meeting in that way, and I think if those members were questioned, they could tell very little concerning Friends' principles, or what the Friends' belief was.

Q.—This Pastoral Committee that has been appointed—what is the working of the Pastoral Committee ? Was there any Pastoral Committee before this new discipline ? 3870

A.—Oh yes, they had done it under the other.

Q.—They had been doing it under the other ?

A.—Yes, although the Yearly Meeting didn't altogether approve of it.

Q.—The Pastoral Committee is appointed by the Yearly Meeting. A.—Yes.

Q.—And what did the Pastoral Committee do ?

A.—Well, I think the Yearly Meeting raises funds to bear their expenses, for one thing.

Q.—What were their duties ?

A.—Then they travelled.—They can go from one meeting to another and appoint meetings and hold meetings.

3880

Q.—Of friends ?

A.—And these Revival Meetings if they choose. I think that is what it is. I can't speak to those things from personal eye witness.

Q.—That is the way it works practically ?

A.—Yes.

COURT.—They were appointed to travel among the Friends and to hold revival meetings ?

A.—I think their own minutes will show what their services were in that way.

Q.—Was that under the system of 1859 ?

A.—It first started under that, but Friends didn't approve of it.

Q.—That had been done prior to the new discipline then, had it ?

3890

A.—Yes ; that is what I meant by saying that if they would take such liberties under the old, what must be expected under the new to come.

Q.—Now, were these meetings in accordance with the ancient practice ?

A.—I never have read of anything of the kind as a Mourner's Bench among Friends in no journal I have ever read.

Q.—Nor these meetings ?

A.—Or that class of Meetings. I have read of Joint Meetings and such like, where Friends felt drawn in their spirits to go and hold meetings, and did so, and a blessing rested upon them ; but to hold Meetings with Mourners' Benches, calling them forward and calling them to speak, I never read or heard of it in any ancient work at all.

3900

Q.—And it is entirely new ? A.—Entirely new as far as my knowledge ever went.

Q.—Until the last few years ? A.—Yes.

Q.—Then the new discipline was not the sole cause of difference as between you ?

A.—Oh no ; it was the new practices and new doctrines and different things.

Q.—It was these practices and doctrines that had been introduced of late years, and that were going on ?

A.—And that were constantly increasing; it was all combined; it was not any one particular thing.

Q.—And your own mind and the minds of others were disturbed by these new practices?

A.—Yes.

Q.—You say that there was a change made from time to time in this discipline of 1810?

3910

A.—Yes.

Q.—In some particulars? A.—Yes; just a few small items.

Q.—In what way were the Friends consulted about those changes?

A.—The proposition would go up from the Quarterly Meeting to the Yearly Meeting, and then there would be only one of these things, items, go up at once; usually the Yearly Meetings acted on it unanimously, and it would be sent back to our representatives being there, and it being acted on unanimously, why the meetings at home would receive it. There was one or two things—I don't know whether on marriage—came down from the Yearly to the Quarterly Meetings—thought important enough to bring it down. I think there was one such case, but I wouldn't like to be positive about it; I couldn't say other than I think some of the old books of light will show it, I think.

3920

Q.—There is a statement here that a copy had previously been sent to every individual?

A.—Yes, prior to the discipline of 1810 there was a copy sent.

Q.—Now, were copies of this discipline sent to your meetings—this new discipline—at this meeting, or at any time.

A.—No; that was done in the way I stated: this discipline came to us with the unanimous vote of the Yearly Meeting.

Q.—Was any copy of this new discipline sent to your Quarterly Meeting beforehand—before it was brought up? A.—No.

Q.—There was a committee appointed simply for revision, wasn't there?

A.—I understood there was; I wasn't at the Yearly Meeting at which that committee was appointed.

3930

Q.—There was a committee appointed simply for revision, wasn't there?

A.—I understood there was. I wasn't at the Yearly Meeting at which that committee was appointed.

Q.—You were not at the previous Yearly Meeting. A.—No I was detained by sickness.

Q.—So that this New York discipline was brought up for the first time at the Yearly Meeting.

A.—At the Yearly Meeting, that was the way I understood it at the time.

Q.—I suppose it would make no difference to your Yearly Meeting, if you passed a year or two without taking, without conducting any correspondence at all with other yearly meetings?

A.—Why, in the early rise of Friends they didn't hold a Yearly Meeting every year. I have the book of discipline of that early day.

Q.—I am speaking now of correspondence with other Yearly Meetings ?

3940

A.—They had no yearly meeting to correspond with in that time.

Q.—And it was only after Yearly Meetings multiplied that it was possible to have correspondence ?

A.—Yes. And Philadelphia now stands alone, and don't correspond with any Yearly meeting—a very large body of substantial Friends.

Q.—This Mr. Wright, who came out from England last summer, you say that he visited your Meetings as well as the others ?

A.—Our families; I said.

Q.—Did you make known to the London Yearly Meeting in any way the separation that had taken place or the difficulties you had had to encounter ?

A.—No ; but he appears to have been aware of it before he left England.

3950

Q.—But did he appear to have been aware of all the circumstances ?

A.—I don't think he was.

COURT.—He visited Plaintiffs and Defendants ?

A.—He visited the families and individuals of our Meetings, so far as I know. I don't think he visited every family there.

Q.—Well he attended the Yearly Meeting of the Plaintiffs then ?

MR. BETHUNE.—Yes.

Q.—There seems to be a little confusion about what Worship Meetings are. Will you just explain ?

A.—The difference between them and meetings for business ?

Q.—Yes ; what is the Worship Meeting ?

3960

A.—Meetings for Worship are Meetings that are held entirely for worship, where no business is prosecuted.

Q.—These are meetings for the great body of Friends, are they Preparative Meetings ?

A.—Yes ; but they are subject to the Preparative Meeting—the Meetings for worship ; the Elders take the oversight of the Ministry, and the Overseers have the oversight of the Meetings at large, and any misconduct or anything that was improper would be reported to—would first be labored with the person, and then reported to the Preparative Meeting, and so on up.

Q.—What was the difference between the Preparative Meeting and the Worship Meeting ?

A.—The Preparative Meeting is where business is prepared for the Monthly Meeting ; the Meeting for Worship would sit down in silence and wait on the Lord.

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Q.—You have said several times that the first hour was devoted usually to worship.

A.—Yes.

Q.—And then business was proceeded with ?

A.—Yes ; well, after waiting on the Lord very frequently, there would be prayer or preaching in that meeting, and then a Friend would say that the hour had drawn nigh for business.

Q.—Then are Business Meetings not also Worship Meetings ?

A.—No ; they are not considered so, though sometimes worship is performed in them ; there is preaching in them sometimes, but they are intended for transacting affairs for the society is what Business Meetings are intended for, but there is always a Meeting of Worship attended, connected with it.

Q.—But it is the same persons belong to both ? A.—Yes.

3980

Q.—Speaking of the representatives who were present at the first Yearly Meeting '81, John Vermil-yea was mentioned, and Penurkes. To what Monthly Meeting did they belong ?

A.—They belonged to Cold Creek. Those names were not read to me before.

Q.—Were these present. A.—Yes, they were.

Q.—These two, at all events, belonged to Cold Creek ? A.—Cold Creek.

Q.—What is there at Cold Creek ? A.—There is a meeting held at Cold Creek—Monthly Meeting.

Q.—A meeting of Friends ? A.—Both parties.

Q.—With regard to the dual character of these meetings, how were the clerks ? what was the arrangement about clerks ; the old, ancient arrangement about clerks ?

A.—There was a committee appointed to bring forward the names.

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Q.—What clerks were there ? A.—There were clerks of the Preparative Meeting, and—

Q.—But did the men have a clerk of their own ?

A.—The men had a clerk of their own and the women a clerk of their own, and each acted separately.

Q.—The men had a male clerk, and the women—? A.—A female clerk.

Q.—Each acted separately and kept their separate records ? A.—Yes.

Q.—What change has been made since that, in that respect ?

A.—I find they have women's clerks for men's meetings, and they do their business together.

Q.—They have just one clerk for both men and women ? A.—Yes.

Q.—And that clerk is a woman ?

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A.—Yes, that was the way it was done on the 19th of the fourth month, when I was present at their meeting.

Q.—Of the present year? A.—Of the present year, yes.

Q.—Now was anything of the kind known in the old time—as far back as your memory goes?

A.—I never have read of any.

Q.—As far back as your memory and knowledge go?

A.—No, and I think if the minutes were produced, it was a Separate Meeting, and a Joint Meeting afterwards.

BY MR. BETHUNE—

Q.—Was this meeting at Cold Creek a preparative or monthly?

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A.—It is monthly, but the monthly is held at the yearly now.

Q.—The meeting at Cold Creek is preparative now? A.—I can't say.

Q.—At the time of the separation it was only a Preparative Meeting?

A.—There was a Monthly Meeting held there at Cold Creek and reported to the West Lake Quarterly—always has been, that is, not always, because I can remember when it was established.

ADAM SPENCER, sworn for Defendants, testified as follows :—

BY MR. ARNOLDI—

Q.—Do you remember the establishment of the Canada Yearly Meeting? A.—I do.

Q.—Who was Clerk of that Meeting when it was established? A.—I was.

Q.—How long have you been a member of the Society of Friends? A.—About 50 years.

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Q.—And where have you lived all that time?

A.—I lived the first part of the time in the Township of Thurlow and belonged to Pelham Monthly Meeting, and the latter part I lived in the Township of South Norwich and belonged to Norwich Monthly Meeting.

Q.—Can you tell us how the Canada Yearly Meeting came to be established?

A.—A concern arose in the minds of Friends in Canada for the purpose of a relief in travelling so far to New York; we were members of New York Yearly Meeting.

Q.—You had been members of the New York Yearly Meeting prior to that?

A.—Yes; and the three quarterly meetings, Pelham, Yonge Street and Westlake, each appointed Committees, who met at Pickering and considered the subject in all its bearings; that was the Committee privy to the Committee, and they came to report a united report to request of the yearly New York Yearly Meeting, or to propose to their Quarterly Meetings to request of the New York Yearly Meeting that a Yearly Meeting be established in Canada, to be composed of those three Quarterly Meetings, and that it be held at Pickering.

Q.—What took place then?

A.—This report, thus prepared by the Committee, was forwarded to each of those Quarterly Meetings; these meetings united with it, and the following year, the next yearly meeting, it was presented, each Quarterly Meeting presented same copy of report, requesting the Yearly Meeting to the New York Yearly Meeting, which was entered in its minutes.

Q.—What year was that ?

4040

A.—It was in '63, I think, that the request went to the Yearly Meeting.

Q.—And the request was, as you say, to have the meeting at Pickering ?

A.—It was to have it at Pickering, and that subject proclaimed the consideration of the Committee.

Q.—Did the New York Yearly Meeting appoint any Committee to come over here and visit about the matter ?

A.—They appointed a Committee, and that Committee visited generally the ones or nearly all of them and again some of them subsequently.

Q.—Did they consider the question of the place at which the Yearly Meeting was to be held ?

A.—They acceded to the request of those Quarterly Meetings.

COURT—They acceded to the request of the Quarterly Meetings to grant the Yearly Meeting in 4050 Canada at Pickering ?

A.—Yes.

MR. BETHUNE—I object to any evidence showing any virtue in the mere place.

MR. ARNOLDI continues :

Q.—The Meeting in Canada was constituted in accordance with that I suppose ?

A.—Yes ; as I understand it.

Q.—And it was held at Pickering ?

A.—Held at Pickering.

Q.—Who was the first male clerk at that Meeting ?

A.—I was the first male clerk.

4060

Q.—Where was the meeting held at Pickering ?

A.—It was held in the Meeting House that had been erected for the purpose of holding the Yearly Meeting.

Q.—The first Yearly Meeting was held in '64 ?

A.—In '68 ; it was not fully decided in New York Meeting to grant it until '66, and then in '68 it was allowed to take place—in '67 I should say.

Q.—Who had contributed the money for the buying of this place?

A.—The different Quarterly Meetings. Q.—Who composed the Yearly Meeting thus constituted?

A.—Yes. I was not one of those committees, and was away from home a good deal of the time, and 4070 other Friends were more active in it than I was.

Q.—Well, then, the next year the deed was obtained?

A.—The deed was obtained, but the date of the deed I can't say.

Q.—Were the meetings held at Pickering thenceforward—the Yearly Meeting?

A.—They were thenceforward held at Pickering, year by year.

Q.—Until the year '81, when it was held at Norwich?

A.—The Yearly Meeting of Canada was held in '80.

Q.—Then in '81 it was held at Norwich? A.—At Pickering.

Court.—It continued to be held from '67 at Pickering till what year? A.—Till the present time.

Q.—The meeting has been continued thenceforward at Pickering up to the present time? 4080

A.—As I understand it.

Q.—You were clerk for a number of years of the meeting? A.—For ten years.

Q.—What year did you cease to be clerk? A.—'77.

Q.—Under what discipline was the Canada Yearly Meeting constituted—what discipline were they to act under?

A.—'59, New York—the discipline that was revised and established by the New York Yearly Meeting, '59.

Q.—Did the members of the Canada Yearly Meeting live under that discipline from the time of the constitution? A.—They did.

Q.—And did they still live under it? A;—Yes, still live under it. 4090

Q.—Did you accept the new discipline at any time? Have you accepted this new discipline they speak of? A.—No.

Q.—Are you aware of any differences of doctrine that have come up in the society of late years?

A.—I am.

Q.—New teachings? A.—Yes.

Q.—How have these come into the Society: how have they been introduced?

MR. BETHUNE.—I object now, seeing that this man didn't belong to the West Lake Meeting. We can't be answerable for what may have taken place in the Norwich or Pelham meeting.

COURT.—He can speak of differences in the body—Quaker body—to which he belonged in matters of doctrine, I suppose. Unless it be connected with West Lake it may not be proper evidence; it is not evidence unless it is undertaken to connect it with West Lake; I will take the evidence to save time rather than discuss the matter.

4100

MR. ARNOLD continues—

Q.—Have these differences of doctrine arisen within the Canada Yearly Meeting, that you know of, or have they come from without? A.—They have existed generally throughout the Society.

Q.—Do you mean in Canada? A.—In Canada, the United States, and Great Britain.

Q.—Since when? A.—About twenty years—I should say, a little less. It became more observable in '65, perhaps.

Q.—Are you speaking now of your experience in Canada? A.—In Canada and other places.

Q.—Let us take the Canada Yearly Meeting at its inception, when it was constituted. Was it orthodox? A.—It was then orthodox.

Q.—When did these differences of doctrine first begin to appear in the Canada Yearly Meeting?

4110

A.—Very soon after the adoption of the Canada Yearly Meeting.

Q.—How did they come in, how did they first arise?

A.—Persons visiting introduced them—persons from abroad visiting introduced them and some of the members imbibed them very early.

Q.—Are you speaking of any particular Monthly Meeting when you say that?

A.—The first appearance of those doctrines was in the Pelham Monthly Meeting that I recognized.

Q.—And did it spread to any of the other meetings that you are aware of?

A.—It did spread generally throughout; it infected the Pelham Quarterly Meeting first, seriously more than it did the other parts of the Yearly Meeting.

4120

Q.—Has there been any division in the Pelham Quarterly or Monthly Meeting regarding these matters? A.—Yes.

Q.—Are there two meetings there? A.—Yes.

Q.—Similar to the Westlake division? A.—Yes.

Q.—Has the same thing taken place in any of the other meetings as up there?

A.—There is only one Quarterly Meeting there besides Yonge street.

Q.—That includes Norwich ?

A.—Norwich and Pelham monthly constitutes the Pelham Quarterly Meeting.

Q.—There are two meetings there the same as we have seen in the Westlake matter? A.—Yes. 4139

Q.—Then what Quarterly Meeting does the Pickering belong to ? A.—To Yonge street.

Q.—What has taken place in Yonge street division of the same kind ?

A.—Latterly there is some divisions taken place.

Q.—How long do you speak of ?

A.—I am not personally acquainted ; I have not personal knowledge ; there are other parties here who can speak more about it ; I have had letters from persons affected with it, informing me how the thing has taken place.

Q.—Then these divisions you speak of consist of two sets of people ? A.—Yes.

Q.—People who bring in these doctrines (these new doctrines) and the other, the people who adhere to the old ones I suppose. 4140

A.—That is the idea.

Q.—The people that adhere to the old—to what Yearly Meeting ? To which of the Yearly Meetings do they join ?

A.—They join to the one that the defendants claim.

COURT.—The divisions in other places are represented by the plaintiffs and defendants in Westlake ?

A.—Yes, that is the true idea of it.

Q.—Have you any knowledge of that fact as to the Yonge street ?

A.—I can't say particularly about that ; I wouldn't like to.

Q.—Then can you tell us what these differences are that you have spoken of in this way—for instance is there any difference on the question of the work of man's salvation by Christ ? 4150

A.—Yes, that is there where the difference exists.

COURT.—Is that a difference between the books of discipline ?

A.—There is a difference between the books of discipline.

Q.—On that subject ?

A.—On that subject there is a difference ; the doctrinal part ; the discipline of '59 clearly sets forth

in a satisfactory manner the doctrines held by Friends as they were held by Friends when it was first established.

COURT—The discipline of '77 varies from that of '59 in that regard, with reference to a man's salvation? A.—Yes.

Q.—And the Plaintiff's party teach something different from the old discipline, the old doctrine on 4160 that point; can you tell us what it is that they teach different?

MR. BETHUNE—I suppose that would appear in the Discipline; I object to the giving of evidence of what is in the Discipline.

Objection allowed by Court.

MR. ARNOLDI continues:

Q.—On this particular point, as to which you have stated there is a new teaching in the new Discipline; can you point out the difference from the books—producing to Witness the books containing the old Discipline and the new Discipline—on the Holy Spirit page 6 in the old Discipline and the following pages in the old Discipline—and reads to Witness new Discipline pages 5 and 6.

A.—There is something just here that is very difficult to understand—"as the gospel is known to 4170 faith in the Lord Jesus Christ"—what is the meaning of "as the gospel is known?" That is the question that we can't very well come to define without referring to one of the root principles we complain of. I have heard them say that the Gospel is good news—the good news that Christ has finished our salvation, and as we believe that we are saved—the good news that he has removed the penalty of guilt from us by that sacrifice, and that we are now relieved through the effect of that one offering. This is "as the good news, the gospel is known" the Holy Spirit leads to faith in Christ.

COURT—Isn't that equivalent to the old one—"He opens to the mind the mysteries of salvation and enables it to understand the truth recorded in the Holy Scriptures?"

A.—That is not my meaning of it. That conveys the same idea I was speaking of, being relieved from the penalty of sin, "He dwells in the hearts of believers, and shall give you another comforter, 4180 that He may abide with you forever, &c."; the ambiguity of the matter is liable to hide it, liable to be misunderstood in different ways.

Q.—Liable to misguide and mislead?

A.—Yes; there is another idea, "He leads to repentance towards God," I have heard that explained.

Q.—Whom have you heard explain?

A.—I have heard a good many; I heard Thomas W. Lloyd at our Canada Yearly Meeting.

Q.—Who is Thomas W. Lloyd?

A.—A minister that visited the Canada Yearly Meeting in '75, I think I have heard others in our own Meeting; my own eldest son is with them, and he held that same idea that it was a change of mind,

a change of principle ; he defined it in this way.

4190

MR. BETHUNE—Can we be held answerable for the opinions expressed by individuals in that way ?

WITNESS—My son is one of those who separated and was not in connection with me ultimately ; he said that it is simply a laying aside of all former prejudices and beliefs and accepting Christ's finished work ; that is what he called repentance—going another way.

Q.—Then he gets that from his new Discipline ?

A.—No ; he gets that from the general teachings ; this new teaching has been got up long since the teachings began : these teachings in Norwich began since the Yearly Meeting, or they began in Pelham since the Yearly Meeting, and they began to culminate or progress, and in '73 or '74, or somewhere along there, they began to increase pretty rapidly, and this discipline has been formed very ingeniously ; there were perhaps minds in New York that formed this that were not in harmony with the new teaching, 4200 and therefore it curtailed the idea of bringing out these extreme ideas in full.

Q.—Did these people you speak of as holding the doctrines you have mentioned find that new discipline in accord with what they teach and understand ?

A.—It is guarded, it is ambiguous, and there is a measure of it ; they have copied the words of the old in such a way as to render the meaning a little different ; they may by a good deal of stress bring it to the old idea, but it is liable to be removed to another idea.

Q.—That is to say, it gives colour for these new practices ? A.—This is the way I look at it.

COURT.—It tends to lead astray, is that it ? A.—Tends to lead astray ?—Yes.

Q.—Can you point out any other doctrinal difference between the two ?

A.—Under the head of "Justification" in the old discipline, seventh page, beginning, "We believe 4210 that the great design of our Almighty Creator in sending His beloved Son from the world was for redemption," etc. "He hath communicated to every man a measure of that light and grace which came by Jesus Christ which, as it is received, works salvation of all—even those who are ignorant of Adam's fall," etc. Witness now reads the new discipline, page 8, "Justification" and "Sanctification," "God so loved the world that He gave His only begotten Son, that whosoever believeth in Him should not perish, but have everlasting life. The difference :—We believe justification is God's free grace through which, upon repentance and faith, He pardons our sin and accepts us as righteous in His sight for the sake of the Lord Jesus Christ ; that it is received, not because of our works, but of our acceptance of God's mercy in Christ Jesus ; that through faith in Him and His atoning blood, the guilt of sin is taken away, and we stand reconciled unto God. 4220

COURT.—Is that different ?

A.—That is, an acceptance of mercy. The acceptance of mercy. What a thought there is there ! and "that it is received, not because of our works, but of our acceptance of God's mercy through

Christ Jesus." There is a thought there that we have power to accept. I think we are brought into true penitence, true humility, before God; we will pray for that pardon; we will ask for it with all our heart, in the very depths of our soul; and God pardons for the sake of Christ.

MR. BETHUNE.—What is the difference between that and those that receive light and walk therein?

A.—In receiving the light, it is a yielding to the operation of the Spirit, and by yielding and obedience to the will of God, as made known by His Spirit in the heart, we receive ability—He gives ability.

COURT.—I feel difficulty in seeing the distinction between the two?

4230

A.—The way I view it is, perhaps, because of hearing so much of the other and knowing the right principle, which has been so largely taught in connection with this—

COURT.—What is the distinction then between the two disciplines on that subject of justification? Can you put it in any short language?

A.—The one is new; it is not expressed fully, but it is the offspring of that teaching which says:—being the faith only in what Christ has done for us. In the new, justification is by faith in what Christ has done for us, only. One explains it so as to be understood, but the other is ambiguous and hard to be understood.

MR. ARNOLDI.—You said it illustrated their teaching that justification was by what?

A. By faith only in what Christ has done for us.

4240

COURT.—It seems to be indistinguishable from the old discipline.

WITNESS.—As I understand it, it is not as clear; it is certainly ambiguous.

COURT.—Then as to baptism—reading from page 10 of the old: "We believe it is the cleansing operation of the Holy Spirit in the heart, subduing froward nature, and bringing it into conformity with the Divine will."

A.—That clause is left out of the new altogether. The old speaks of the baptism being a refining process, cleansing. In speaking in the new of the baptism of fire—in speaking of it afterwards—it only stops at the Holy Ghost. They first question, and then say: "We believe one baptism of the Gospel dispensation is that of Christ, who baptizes His people with the Holy Ghost." They stop at the word "Holy Ghost," and that leaves out the cleansing. The teaching is that the Holy Spirit never cleanses; I have 4250 heard that preached.

MR. ARNOLDI continues—

Q.—Are there any other differences that you can point out?

A.—On the Supper—page 10 of the old, "We believe it is the inward and spiritual body in the heart of man, daily nourished in the hearts of those in whom Christ dwells"; in the new, at page 12, "We believe the true Supper of the Lord is the Communion, which His believing children are enabled to hold with Him through realization of the presence of Jesus Christ in their hearts, who hath cleansed them

from all sin through the offering of His body and the shedding of His blood upon the cross", they point to the one offering, to the one work done—ambiguously expressed the same as the other.

COURT.—Isn't that in effect the same as the old?

4260

A.—In connection with the teaching, there is an ambiguity about it. In connection with the teaching they say—I have heard them say—that the eating of the blood of Christ is spiritual; there is a spiritual eating of the literal body and blood of Christ. In hearing these things and examining the nature of it, it leads to the same root doctrines that as they believe the work is all done, and they continually trust it is removed by that one offering; they partake of a spiritual eating or partaking of the literal body and blood of Christ—that continual thought that occupies the mind of Christ—that continual thought that occupies the mind, of the thing having been done without them is what I understand to mean the spiritual eating of the body and blood of Christ.

Q.—Surely that does not seem to be justified by the language of the new discipline: "We believe the true Supper is the Communion, which His believing children are enabled to hold with Him through the realization of the presence of the Lord Jesus Christ in their hearts, 'not in the elements of Communion,' through the offering of His body and the shedding of His blood upon the cross," and then they quote the same passage as quoted in the old: "Behold I stand at the door and knock"?

4270

A.—There is an ambiguity about the thing in trying to amend the old or alter the old.

C.—Doesn't it seem to you the old is rather a summary or commentary of what the Bible teaches upon these subjects, while the new one gives the language of the Bible itself?

A.—The old is in entire harmony with the Bible truths as held by Friends from the beginning.

MR. ARNOLDI continues—

Q.—Is there any other difference that you can point out?

A.—They are minor; they are not of that importance. As I said, it is only in measure.

4280

Q.—Now as to baptism—is there any difference as to marriage between the two disciplines?

A.—I have not examined the new on the subject of marriage.

6.30 P.M.—Court adjourned until 9.30 the following morning—Thursday.

THURSDAY, 9.30 a.m.—MR. ARNOLDI, continues—

Q.—We were talking about the differences in the discipline last night; now take the old and new discipline and turn to page 25 of the old discipline at the bottom, the direction as to waiting for the influence of the holy spirit at the meetings?

A.—I see it.

Q.—Do you find anything about that in the new discipline?

A.—I don't see anything in it of that character—waiting for the influence of the spirit.

4290

Help on the road to the new

the new

the new

the new

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the new

Q.—Is this other party in the Society of Friends in the habit of waiting for the influence of the spirit ?

MR. BETHUNE.—How is it possible for the witness to know that ?

COURT.—I suppose they can tell the fact, speaking without apparent waiting.

MR. ARNOLDI.—Continues.

Q.—Among the old Quakers there is a practice of waiting in silent meeting ?

A.—Yes, there is.

Q.—Do these new parties maintain that practice ?

A.—It has been so long since I have met with them, that I am not able to know what their immediate practice is just now.

Q.—You see on pages 74 to 76 of the old discipline directions as to simplicity of dress and language 4300 and the corresponding part in the new discipline is at page 90—do they correspond at all ?

A.—There is no correspondence ; there is a great lack of correspondence.

Q.—The old discipline says that you are bound to differ in your dress from the rest of the world—page 75 ? Do you find that in the new discipline ? A.—No.

COURT.—In the old Discipline there is a paragraph with regard to simplicity of language, and that is not contained in the new. MR. ARNOLDI.—No.

Q.—Now, on pages 65 and 66 of the old Discipline marriage is treated of, and page 74 of the new Discipline, and on page 65 of the old you see a clause, “marriage with persons not members, &c.,” do you find that in the new Discipline ?

A.—I don't find that ; there is a difference.

4310

Q.—There is nothing of that kind enjoined in the new discipline ?

A.—I don't see it.

Q.—Then on page 30 of the new Discipline you see a provision there about joint sessions and appointment of clerks without regard to sex. A.—Yes.

Q.—Is there anything corresponding to that in the old discipline ?

A.—There is nothing in the old Discipline that ever I taught.

Q.—Was there anything in the old practice, in the practice under the old discipline, similar to that ?

A.—No ; there might be on certain particular occasions, a meeting might be called together for a little time—for instance if a Friend had a concern to lay a prospect before the Meeting, he would ask to be let down for him to do that service, and then it was closed again.

4320

Q.—But then there were two clerks under that system ?

A.—Always two clerks.

Q.—And the men's Meeting clerk was a man and the women's meeting clerk was a woman ?

A.—Yes.

COURT.—In Business Meetings ? A.—In Business Meetings.

Q.—Well then this is an innovation ? A.—That is :

Q.—At page 33 of the new Discipline do you find a provision there for the appointment of a Pastoral Committee.

A.—There is a provision for the appointment of a Pastoral Committee annually.

Q.—Was there anything similar to that in the old Discipline ?

4330

A.—No, nothing of that kind, it was not appointed annually ; on special occasions they were appointed for special service, but it was not enjoined in the Discipline.

Q.—Then that is an innovation, that part ?

A.—It appears to be an innovation.

COURT.—They were formerly appointed only on special occasions ?

A.—For special services ; it never was termed "Pastoral Committees" though.

Q.—As to the election of Elders, page 36 of the new Discipline, the Elders are directed to be appointed for three years to serve for a period of three years, was there any limitation of that kind in the old discipline or under the old practice ?

A.—No ?

4340

MR. BETHUNE.—It speaks for itself as to that.

Q.—That is a change ? A.—That is a change.

Q.—Now, on page 26 of the new Discipline you see there a recital of how the sense of the Meeting is to be taken ?

A.—Yes ; "the prevailing opinion is to be recorded."

Q.—Was there any provision of that kind in the old Discipline ?

A.—No provision to decide by majorities.

Q.—What was the practice then before this new Discipline, as to passing a thing before a Meeting ?

A.—The practice, the right practice, was that the meeting became united, and the clerk recorded that united opinion, united judgment.

4350

Q.—Suppose there were some in the meeting who didn't unite, what became of the matter then ?

A.—If they didn't unite, it either had to drop or be postponed.

COURT.—This new discipline seems to recognize the practice of the Friends, however, not to determine questions by simply numerical majorities, it recognises that practice, " although it is not the practice of Friends to determine by simple numerical majorities yet, &c." I don't know that that necessarily includes majority ?

A.—That is the interpretation acted on in that way.

Q.—In the old—suppose in meeting, only one person objected ?

A.—One person—an intelligent person would hinder it from properly going forward.

Q.—Do you find anything about the introduction of Bible Schools in the new discipline at 4360 page 84 ?

A.—I have never seen anything in the old discipline of that kind.

COURT.—Under the old practice, who had control of all the meetings that took place ? Authorised to take place ?

A.—It was the Monthly Meeting that is the principal meeting controlled,

Q.—I mean subordinate to the Monthly Meeting in the appointment of schools and that sort of thing, who controlled them ?

A.—The Monthly Meeting should control all schools, everything of that kind.

Q.—It was essential then that any school or meeting should be under the control of the Monthly Meeting ?

4370

A.—It was always so considered.

Q.—Were there Bible Schools under the old practice ?

A.—Of latter time there was Bible Schools.

Q.—What was their character ?

A.—They were called the first day schools in which the Scriptures were read ; schools where scriptural instruction was held on the first day of the week as a common thing.

Q.—And they were under the control ?

A.—Under the control of—had to report yearly to the Yearly Meeting.

Q.—Well, was that a common practice, a recognized practice? A.—Recognized by the Yearly Meeting.

Q.—And that was the only system of Bible Schools there was ?

4380

A.—It was all under the control of that one of the constitution. It was called the First Day School Institution at first, and then changed to Bible School afterwards.

Q.—When did that practice first go up?

A.—It was adopted when Canada Meeting was first established.

COURT.—Is there anything to show that they are not to establish Bible Schools?

A.—I don't think there is.

Q.—How were these schools established? Were they established by the Yearly Meeting before?

A.—There was a committee appointed by the Yearly Meeting—a central committee that had general supervision of it, and they were appointed some in each meeting.

Q.—Did they establish schools or did the Primary Meetings establish schools and report to the 4390 Yearly Meeting?

A.—It was immediately under the primary schools, those who were delegated and appointed to the service by the Yearly Meeting, if I have a clear idea of it now. They had the authority to be instrumental in establishing and conducting the schools.

Q.—The Bible Schools that you speak of? A.—Yes, they were called, eventually termed, Bible Schools.

COURT.—Q.—The Yearly Meeting you say, appointed persons to conduct these schools? A.—Yes.

Q.—Have you made a study of the doctrine of Quakerism?

A.—Well I have endeavored to inform myself in the matter.

Q.—Are you a minister?

4400

A.—I stand in that capacity I believe.

Q.—How long have you been a minister?

A.—A little over 20 years; I don't remember just the date.

Q.—I understand that the Norwich Monthly Meeting of Friends published testimony about these various doctrines that had been preached in the church?

A.—They did.

Q.—You were clerk of the meeting at that time?

A.—I was clerk of the meeting.

Q.—Is that a copy of the testimony produced now, dated in '78?

MR. BETHUNE.—If that is of any consequence at all, it must be proved in another way, because I 4410
can't now cross-examine on it; I have never seen it till now.

COURT.—I suppose that the publication of that book may be shown to the witness.

MR. BETHUNE.—Declarations at a former time can't bind us.

COURT.—I think it admissible at any rate to point out the differences between the old and new disciplines and I will receive it for that purpose.

MR. ARNOLDI, continues.

Q.—Is that testimony correct and orthodox in its views?

A.—It is correct and orthodox; it sets forth the differences.

COURT.—The differences between the old and the new school? A.—Yes.

Q.—And it sets forth the true old doctrine of the Friends? A.—Yes.

4420

Q.—It was published in '78? A.—'78.

Q.—And you were the Secretary of the Norwich Monthly Meeting? A.—I was clerk.

Q.—What was the occasion of the publication of that testimony?

A.—There was a portion of the members separated from the Monthly Meeting.

Q.—And this was issued to point out the objections?

A.—To point out the causes and what it resulted from.

COURT.—The publication was intended to point out how far they had gone astray?

A.—Yes, that was the idea.

By MR. BETHUNE—

Q.—So you are one of those who were disowned in '78?

4430

A.—I was not disowned.

Q.—Sure about that?

A.—I am sure I never was disowned in the Society of Friends.

Q.—You never said so? A.—I never said so.

Q.—Well, they refused to recognize you at the Yearly Meeting, didn't they, when you came up?

A.—The Yearly Meeting did not examine into the case.

Q.—Weren't you heard before a Committee? A.—No.

Q.—Weren't your testimonials brought before the Committee ?

A.—We handed in our writings.

Q.—And the Yearly Meeting didn't recognize your writings, they didn't recognize you ?

4440

A.—They didn't see us face to face, at all.

Q.—They saw your writings in which your stand was stated ?

A.—I don't know what they saw.

Q.—To whom did you hand them ? A.—To Thomas Eyre Clark, I think.

COURT.—You say that the Committee didn't hear you ?

A.—Didn't see the parties face to face.

Q.—They didn't see the parties face to face ? A.—They didn't.

Q.—But you handed in your document to Eyre Clark, I think, who was clerk of the Committee ?

A.—It was Eyre Clark asked me to hand in the documents, and I went in and laid them on the desk.

4450

Q.—The documents setting forth your side of the case ?

A.—They were the Meeting book, the minute book of the meeting.

Q.—And what was it that led to the difficulty between you and the other people in your Monthly Meeting ?

A.—As it is set forth in this testimony.

Q.—Can tell me though shortly what it is ?

A.—It will take a great time.

Q.—What in short was it about ? What was the subject of it ?

A.—Certain parties of the meeting introduced unsound doctrines and improper practices.

Q.—That is according to Mr. Spencer, he being judge ?

4460

A.—According as I judged and the meeting judged.

Q.—The majority of the meeting was the other way ?

A.—No, it was not the majority.

Q.—Not the majority in number ?

A.—No , at any rate we don't go by majorities.

Q.—Well, the solid sense then of the meeting ?

A.—The solid sense was never arrived at in the Monthly Meeting.

Q.—So that you cant tell which had the solidest sense and which had the majority, either your party or the other party ? A.—There was a long time—

COURT.—Which meeting do you refer to now ? A.—Monthly Meeting at Norwich.

4470

Q.—At all events there were two parties in it ? A.—There were two parties.

Q.—And these two parties put their respective claims apparently in writing before the Yearly Meeting ?

A.—That was from the Quarterly Meeting, two reports went from the Quarterly Meeting.

Q.—Then this dispute got from your Monthly into your Quarterly Meeting ? A.—Yes.

Q.—And then it went from the Quarterly to the Yearly Meeting ? A.—Yes.

Q.—What did the Quarterly decide—for you or against you ?

A.—They didn't decide at all.

Q.—So that it necessarily had to be carried to the Yearly Meeting ? A.—Yes.

Q.—And the Yearly Meeting decided against you ?

4480

A.—The Yearly Meeting never gave it a fair decision.

Q.—Of course, nothing could be fair that could be against you, but what I asked you was whether they didn't decide against you whether rightly or wrongly, as a fact they decided against you ?

A.—They carried it improperly.

Q.—Nothing could be carried properly against you, but as a fact, they carried it ?

A.—I am not quite so unreasonable a man as you think.

COURT.—Was there a decision come to at the Yearly Meeting ?

A.—There was a decision come to, but not a united one.

Q.—What was the decision of the Yearly Meeting ? A.—I can't tell you.

Q.—The decision was against you ?

4490

A.—The decision was to adopt the reports from the other party.

Q.—So that the effect of that was to cut you off—your party off ?

A.—That was the design.

Q.—And that was carried out too for a while—for two years—wasn't it, and more than two years?

A.—We never owned it.

Q.—They wouldn't own you?

A.—I know they put up a bar and deprived us of privileges, there is no question about that.

Q.—They would not let you unite with them in the Yearly Meeting?

A.—They took action and we repudiated it, and minded our own business.

Q.—You repudiated them?

4500

A.—Yes, we repudiated their act of the Yearly Meeting.

Q.—But in the meantime you had not set up any meeting of your own?

A.—We kept to the meeting that was established.

Q.—You never did, however, set that up till '81, till after '81, this occurred in '78, whereas by an act of the Yearly Meeting held in '78, Friends of Pelham were deprived of certain privileges, said act now rescinded, and those friends reinstated and reports received—so that the first thing you did in '81 when you got Separatists in meeting from Westlake, was to get them to remove this bar from you and then you joined with them?

A.—They removed, as is plainly shown, that act, which was an improper one; I know it was not proper.

4510

Q.—And you got the Westlake Meeting, when you got there, to remove the bar from you?

A.—The Westlake Meeting acted on their own judgment.

Q.—You remember writing a letter down to them in '81, beginning of '81 I think, 4th Feb., '81, pointing out that you both had a common grievance, that you had been unjustly deprived in '78 and they had been unjustly treated in '80, and asking that you would join forces? You remember that your meeting wrote a letter? A.—There was a communication; yes.

Q.—Now, I understand that you object to several things in this Discipline, among the rest the departure from the ancient dress of the Quakers—do I understand that to be one of your causes of complaint? A.—That is one cause of complaint.

Q.—Well now your idea is that Quakers ought through these two centuries, to dress exactly as their forefathers had done?

A.—I think they ought to observe a proper simplicity.

Q.—In other words that you ought to dress in the same form of dress that George Fox and other Quakers did?

A.—I would assume that I ought to dress as I appear before thee.

Q.—Are we to assume now that historically that is a fair representation of the dress that George Fox wore ?

A.—I do not know that ?

Q.—You dont prerend to say the cut of your coat is the same as George Fox's ?

A.—I do not.

4530

Q.—Or that you wear the same kind of hat as George Fox wore ?

A.—I didn't presume to say.

Q.—Or the same kind of shirt front ?

A.—You would think I was a Quaker from my looks; wouldn't you ?

Q.—But not from your dress, because there is nothing peculiar about your dress ; I have seen many a Methodist clergyman dress as you do—just as you do ?

A.—I have dressed so these many years—felt it my duty to put on this dress.

Q.—If you don't think it part of your duty to wear the same kind of coat as George Fox wore exactly, at what time are you going to fix as the proper date for the dress—for the kind of dress that you ought to wear ?

4540

A.—I am not going to fix any time at all.

Q.—Well then it is left to yourself pretty much to say what kind of dress you should wear ?

A.—These are merely quibbling matters.

Q.—I think I am addressing a pretty good quibbler myself, but I ask you now where do you get the cut of your coat ?

A.—I get the tailor to do it.

Q.—What fashion do you give him ? Do you take a sample there and tell him to make a coat like it ?

A.—I mostly have a coat on when I go.

Q.—And tell him to make one just like that ? A.—Yes.

4550

Q.—Are you a Quaker by birth ? A.—No.

Q.—When did you become one ? A.—When I was 21.

Q.—Before you were a Quaker you didn't wear a garment like that ? A.—No, I didn't.

Q.—Where did you get the cut then for the e particular garments ?

A.—I saw it right to have it cut as I felt best to do.

Q.—Where did you get the pattern ? A.—I can't tell you where I got it.

Q.—Upon which your clothes were modelled ? A.—I really can't tell you.

Q.—Was there any book handed or not containing proper patterns for the Quaker clothes or anything of that kind, we understood when we appeared like as the world, we ceased to be like a Friend.

Q.—Have you always worn the same kind of hat for the last 25 years ? A.—Very nearly.

4560

Q.—You make a little change with the change of fashion ?

A.—Not a very great deal ; I don't change with the change of fashions, nor I don't believe it right for a Friend of any kind to do so.

Q.—But don't you know that each man or woman is to be the judge of his or her own mode of dress as to simplicity ; wasn't that what Quakerism said ?

A.—Well that would allow a great deal of latitude ; if they naturally would follow their own inclination they would ; it would lead them into the world ; but if they would follow their guide, it would lead them into the simplicity of a Friend.

Q.—What is the guide ? A.—It ist he spirit of truth.

Q.—Well, you can't lay that down in any book, can you ?

4570

A.—It is communicated to us as individuals what is our duty.

Q.—You can't lay that down in any book, it has got therefore to depend upon the spirit of truth communicated to each particular Friend ?

A.—That which has led the Friends into a practice it is not very likely the spirit of truth will lead them out of it.

Q.—I suppose you remember the time too when Quakers used to sit in Court with their hats on ?

A.—Not often, they would not allow it.

Q.—The Quaker's desired to do it, didn't they ? A.—Some of them.

Q.—But the constables used to knock their hats of ? A.—Yes.

Q.—And I suppose you have had yours knocked off ? A.—No, I never attended Court much.

4580

Q.—But is there anything in the Quaker theology that made it a sin for a Quaker to take off his hat off in Court ? A.—Where it is considered bowing to an image, it is.

Q.—Therefore recognition of the majesty of the law was considered as something improper—where do you find that in the Quaker theology ?

A.—We always recognized the majesty of the law.

Q.—How is that bowing to an image, taking your hat off ?

A.—Well, we don't consider it so in coming into this Court room.

Q.—At one time Quakers did consider it so ?

A.—At one time there was a great deal of importance attached to the hat on.

Q.—Quakers have given that up ? A. Well, it is not called for now.

4590

Q.—So that in that respect the Quakers' habits have changed a little bit ?

A.—It did in a small measure.

Q.—Don't you consider this matter of dress just as small a matter, now, as taking off your hat in Court ? A.—No, I don't.

Q.—It seems to me it is a difference between tweedle-dum and tweedle-dee ?

A.—I don't know that I understand that language.

Q.—It is a very common expression in the world, and I suppose you must have heard it before ?

A.—When I was a boy.

Q.—Refresh your boyish recollection ? A.—It is rather a foolish thing.

Q.—And I admit that I am a foolish man ?

4600

A.—I certainly would like to hear sensible remarks.

Q.—I have been waiting ever since you went into the box to hear one and I have not heard it yet —now, another thing you attach some importance to is the existence of Bible Schools ?

A.—If they are proper, they may.

Q.—Have you any objection to Sunday Schools or First Day schools ?

A.—I have not, if they are properly conducted.

Q.—I suppose you have heard, haven't you that Mr. Raikes, the founder of the Sunday School system, was a member of your Society ?

A.—I don't know as I have ; I never heard of the man.

Q.—Well, at all events, when properly conducted, you think they are a good thing ?

4610

A.—I do think they are a good thing when properly conducted.

Q.—Well then, who would more properly conduct them than the Monthly Meeting? What body of your church now, would be more likely to conduct them properly than the Monthly Meeting?

A.—I think that is very proper.

Q.—Didn't a Committee of the Monthly Meeting under the old discipline conduct them in the same way?

A.—It didn't come under the Immediate Committee.

Q.—Under whom did that come?

A.—It was as I remarked a Committee appointed by the Yearly meeting; it was another order of things. 4620

Q.—But usually they would consist of the persons who were in the Monthly Meeting, wouldn't they?

A.—Yes, there was some part of each Monthly Meeting from the preparative.

COURT.—About these schools, I find in the old discipline, it is also advised that first day schools for scriptural instruction be established?

A.—It may be; I have not noticed it.

Q.—And in the new one "it is advised that Bible Schools for scriptural instructions be established in each meeting"?

A.—I don't know that there is any difference in that particular.

Q.—Now, you object, I see, or point out that there is some cause of complaint, because of what 4630 occurs on page 26 of the discipline, namely—that the clerk or acting clerk, is to ascertain the prevailing opinion or judgment expressed by the meeting—wasn't that always the way in which the clerk did it?

A.—The prevailing opinion or judgment was not the way that it was formerly done.

Q.—Are you sure about that? A.—I am sure of it.

Q.—How long is your experience with Quakerism good for anything? A.—About 50 years.

Q.—Well now I suppose you remember the celebrated split between the Wilburites and the Gurneyites? In Massachusetts in which this case of Earle vs. Wood was decided?

A.—Yes, I remember the circumstances.

Q.—I suppose there is no doubt that it would have been established there what the habit of Quakerism was, and what is said there is, "but in regard to their action and mode of proceeding so far 4640 as the right of property is concerned, there is an intrinsic difficulty which must have been seen and felt throughout this litigation, this arises out of the peculiar mode, but upon the solid sense of the aggregate body having regard to age, character, judgment, piety and numbers combined to be gathered and ascer-

tained by the clerk, who is uniformly the presiding officer"—was not that correctly descriptive?

A.—The solid sense implies the united sense—the united judgment.

Q.—Will you say that extract I have just read there from the report printed, of that case, Chief Justice Shaw's judgment, in which is summarised the evidence in that case, "this arises from a peculiar mode of acting and deciding in aggregate bodies, not by numerical—but upon the solid sense of the aggregate body, having regard to character, age, judgment and piety and numbers combined to be gathered and ascertained by the Clerk—will you say what I have read to you there is not a correct 4650 description of the usage of Quakers at least as far back as '45?

A.—That does not say anything about difference, it is the solid united sense.

Q.—Not "united", it says "the solid sense of the body"? A.—That is to be aggregate.

Q.—Now, which side was your sympathy with in this case of Earle vs. Wood, which did you think was right, Plaintiffs or Defendants, in that case, the Gurneyites or the Wilburites?

A.—I don't like the name.

Q.—Plaintiffs or Defendants, then?

A.—Well, I was in sympathy at that time with the Plaintiffs, that is the large body of New England.

Q.—And it was the large body of New England that succeeded in that case upon that definition 4660 given? A.—No, I don't know how you make that, I don't understand the question.

Q.—You know that the Wilburites didn't succeed?

A.—I know that the Wilburites lost the case.

Q.—And I read you an extract from the evidence which the learned Chief Justice's minutes give as to Quakers at that time—will you say that is wrong?

A.—I say the solid sense meant the united sense.

Q.—That is that everybody must have been united?

A.—The Meeting was united, it is the common usage of the Meetings.

Q.—You mean to say everybody must concur in it?

A.—They must either concur or yield.

4670

Q.—If they didn't make any protest you would consider they had yielded, wouldn't you?

A.—Silence gives consent.

Q.—And if when a minute is announced there is no remonstrance or dissent from it, then you consider that those who had been objecting before had yielded, wouldn't you?

A.—No, the minute should state this case.

Q.—No, but where the clerk has deliberated, looked carefully over the meeting, thought the matter out, and has announced his minute, and in the presence of the meeting, and there is no dissent from that you would consider according to the ordinary practice, that the minority of those who had been dissenting had yielded, wouldn't you ? A.—Well, that is a peculiar case.

Q.—Well, where that does occur ?

4680

A.—It is when the minutes are made and read and submitted to the Meeting, silence, of course, implies assent.

Q.—So that those who before that had been opposed to it would be considered as giving adhesion to it ?

A.—There are certain circumstances where there has been a controversey and the case has been looked upon as hopeless, those who are to dissent perhaps they silently bear it, not satisfied, at times they yield too much ; it has been too much the case, no question about that.

Q.—I don't think you have ever been accused of yielding too much, have you ?

A.—I don't know that I have,

COURT.—Who presides at the meeting ?

4690

A.—The clerk presides at the meeting, that is, he sits there and gathers the sense.

Q.—You have no presiding officer ?

A.—No presiding officer as a presiding officer.

Q.—He is simply a functionary charged with the duty of ascertaining the solid sense of the Meeting ?

A.—Ascertaining the sense of the Meeting, and his acts are submitted always to the approval of the Meeting.

Q.—Because he reads out the minute he has made ? A.—Yes.

Q.—You are aware that very recently this same matter has come before the Supreme Court of Ohio, in which the same controversy was presented to that Court, aren't you ?

4700

A.—There was a suit in Ohio, but I am not acquainted with it particularly.

Q.—It is said there, discarding the rule of mere majority, the solid sense of the meeting controls, in collecting which regard is to be had to age, wisdom, solid judgment, irrespective of numbers—Harrison vs. Boyle, page 39 of the pamphlet report, '81 ?

A.—That is a statement similar to the others.

Q.—Now you remember, I believe, that somebody separated in Ohio about 30 years ago from the

chief body in Ohio, don't you ?

A.—Yes, there was a separation took place.

Q.—Now, with which body, the separatists body or the original body, was your sympathy at that time ? A.—It was with the Hoyle body, with what was called the Binns body. 4710

Q.—Was that the secession body or the other body ?

A.—That is what I would not like say which was the seceder.

Q.—Which is your sympathy with now ?

A.—With the other body decidedly ; I saw that there was a wrong.

Q.—So that your sympathy is not with the Binns body, but with the other body ?

A.—Yes ; run into very great extravagances, they have, in doctrine.

MR. BETHUNE here states that he understands the Binns body was the original body.

Q.—When did you change your mind about this thing ?

A.—I can't tell exactly ; as I have been informed of matters of this unsound doctrine as it increased in the Society, it has opened my mind and my eyes to see things as they are, and have gone back to 4720 where I think there was a mistake.

Q.—Now, every Friend, every member of the Society, is entitled to go to the Yearly Meeting and have a voice there vote if he chooses ? A.—Yes, of course, every member has.

Q.—And, although you send representatives from the Monthly Meeting, these are only to conduct business principally of that meeting ?

A.—They are appointed to see that the business from the subordinate Meeting to the superior Meeting is properly represented, and to bring a proper return.

Q.—But they have no more voice in the Meeting than any other member who chooses to go ?

A.—No more than any other member according to his experience.

COURT.—Representatives are sent from the Quarterly Meeting ? 4730

A.—Every grade of Meeting has a representative to go to a superior Meetings.

Q.—A monthly Meeting as such is not sent—does not send representatives to the Yearly Meeting ?

A.—No ; from the Quarterly to the Yearly.

Q.—But they are only, as I understand, particularly charged with the duty of seeing that the business of the meeting is attended to ?

A.—They carry out what is presented to their care in writing.

Q.—Now, another fault that you find apparently with this is that great offence has been committed in this new discipline making it possible to have a woman clerk for the Meeting—what do you consider very wrong in that ?

A.—It certainly is an interruption or a great change in the manner of holding our Meetings. 4740

Q.—But was there anything in the sex which debarred a clerk under the old Discipline, a woman clerk from being clerk of the Meeting ?

A.—There was an early concern with George Fox and his co-laborers to establish men's and women's Meetings.

Q.—Is there anything in the Discipline, however, which forbids the appointment of a woman clerk ?

A.—When women have meetings separate, it would be preposterous to appoint a woman clerk of the men's Meeting.

Q.—Is there anything to prevent its being done in the old Discipline of '69.

A.—It was never admitted.

COURT.—It is in reference to joint meetings ; is there anything which forbids it ? 4750

A.—There is nothing which approves it.

Q.—Is there anything that forbids it ?

A.—Nothing that I know of that forbids it—never contemplated it.

Q.—I suppose you can hardly contemplate it—what George Fox contemplated 100 years ago ?

A.—From his writings.

Q.—Will you say in any writings of this forbid the appointment of a woman as clerk to a joint meeting ?

A.—Was it ever contemplated ?

Q.—Show me any writing in which that was said ?

A.—I don't know that I did—that particular thing forbidding it, 4760

Q.—Now, this Pastoral Committee was regularly appointed every year—wasn't it ? Perhaps under another name from the year '67 ? A.—No.

Q.—Sure about that ? A.—I am sure.

Q.—And you think the minutes won't show that ? A.—Will not.

Q.—You are quite sure about that ? A.—I am.

COURT.—You say it was not appointed every year ? A.—Not appointed every year.

MR. BETHUNE—Here states that he proposes afterwards to point out the harmony between these himself.

Q.—Now, according to the bond existing between the Orthodox Society all the world over, where you get a minute to another Society and that is accepted, you have a right to take part in that other Yearly Meeting—haven't you? Suppose you went from here to Eng'land with that minute, and that minute is accepted, you take part in that Yearly Meeting just the same as any other Friend—don't you? 4770

A.—If I ask for a minute here to go to England or any other Yearly Meeting, my concern is made clearly and presented in the meeting—and that is conveyed to the meeting to which I visit, and as they enter those minutes, I am allowed to carry out the purpose I have in view, and I am amenable to that meeting for my conduct while I am there.

Q.—You become while there a member of that meeting? A.—Not exactly.

Q.—A member as to the concern you have gone about?

A.—I am a member something like it might be said an honorary member for the time being, but I have no right to transact—to enter into the transaction or interfere with the transaction of their business. 4780

Q.—With that you have no concern?

A.—If I go as a gospel minister—I inform the Friends where it has gone, and they assist as long as my doctrine and teaching is consistent; they open the way for me to prosecute my duties.

Q.—Now, what is that book you have?

A.—It is a book dated '54, "where Monthly Meetings formed, not for men only, but for women also."

Q.—Then you don't know anything even in George Fox's writing that forbids woman being clerk of the joint meeting? 4790

A.—I don't know of any joint meeting.

Q.—Do they never meet jointly for any purpose of business—don't you know ever since you have been a member there have been joint sessions?

A.—There have occasionally been joint sessions, but the women remain at their desk and simply assist the rest.

Q.—In a case like that where you want to get the solid sense of a joint meeting don't both clerks act?

A.—Each one decidedly recorded for their own meeting.

Q.—Didn't you confer together?

A.—No, not the clerks; I never knew of such a thing. 4800

Q.—Then it was not a joint meeting but a separate meeting ?

A.—Each kept their separate place.

Q.—I thought you were the whole soul of the meeting, the whole meeting together ?

A.—You were very much mistaken, you and we, whoever they are.

Q.—Did the Monthly Meeting go through the form of reinstating you ? A.—I never was disowned.

Q.—You were disowned by the Yearly Meeting ?

A.—I was not disowned by the Yearly Meeting, they simply adopted a body that were separatists.

Q.—And that had the effect of putting you out from the Yearly Meeting ?

A.—Of course when they took to this, they were strangers and I didn't belong to them.

Q.—There cannot be two real Monthly Meetings in one place ?

4810

A.—The Yearly Meetings may make a mistake in what they do.

Q.—There cannot be two real genuine Monthly Meetings in the one place ?

A.—There can't be two.

Q.—One must be a pretender ? A.—Of course that is a fact, no question.

COURT.—Q.—That in the month of March '81 you attended the Monthly Meeting of the Defendants I think ?

A.—Yes, I think it was, if it says the third month, yes.

BY MR. ARNOLDI.—

Q.—You have been examined at length about this matter of dress, now what is the object of simplicity which is uncollected by the discipline, what do the Friends understand by it ?

4820

A.—It is in order to manifest.

Q.—Were'nt they in the habit of conferring with one another before they announced the minute of Joint Meeting, will you swear that was not their habit. Now, I believe you attended the Westlake Monthly Meeting of the Defendants before this Yearly Meeting was held, before the bar was removed from you.

A.—I did.

Q.—And they accepted you ? A.—Yes.

Q.—Notwithstanding you had been put out by the Yearly Meeting and had'nt been restored ? Reading to witness the minute on the subject, January 13th, '81. Now you set up a seprate meeting. I believe yourself in the beginning of that year '81 a Separate Monthly Meeting did'nt you, at 4830 Norwich ?

A.—No.

Q.—Were'nt there two Monthly Meetings at Norwich ?

A.—There was not but one real Monthly Meeting.

Q.—That one was Adam Spencer's ?

A.—No, it was not Adam Spencer's Monthly Meeting, I belong to it.

Q.—As a matter of fact, there were two Monthly Meetings there ?

A.—There were those who called themselves Friends.

Q.—And the other people who were recognized by the Yearly Meeting were only pretenders ?

A.—They were not the true meeting.

4840

Q.—And the true meeting was Adam Spencer's Meeting ?

A.—It was not Adam Spencer's Meeting, it is a very improper way of expressing it, I am simply a member of the meeting to which I belongd.

Q.—Then it is to distinguish you from the world, as I understand, from the rest of the world ?

A.—Not particularly that by following, by keeping to one consistent dress, it led us into a distinguishing appearance.

Q.—Then it is to show you are Quakers ?

A.—Yes, and the maintenance of that has been a salutary hedge.

Q.—Does this adoption of simplicity of dress mean that every Quaker should dress in exactly the same pattern of clothes ?

4850

A.—No not exactly the same, but if they are true Friends they will want to conform and appear as a Friend.

Court.—Do you find anything contrary to that in the new Discipline, page 90 ?

A.—I don't know as there is; I can't say, the one advises in respect to the dress, I think.

Q.—But that does not seem to be observed uniformly nowadays even ?

A.—No, particularly with the Plaintiffs.

Q.—Now, you have said that silence at the time of the concluding minute meant consent, or at least you were led to give that complexion to it—I suppose in the case put by Mr. Bethune there has been a dispute in the meeting, and certain members have spoken and the clerk chooses, as was done at the Yearly Meeting that has been mentioned here—the clerk makes a minute that is not in accord with the 4860 with the views of those and which they say is not in accord with the sense of the meeting, is it customary at that stage to dispute the minute of the clerk ?

A.—At the close of a Yearly Meeting ?

Q.—Of any meeting where a clerk has made his minute and read it, is it ever disputed after he reads it ?

A.—The minutes of the meeting are only read over after the minutes are made—all read over, and then in the passing of them any amendment that is necessary is under review.

Q.—Well, is the concluding minute then upon the minutes ?

A.—The concluding minute is only a very short one.

Q.—Is it written at the time the minutes of the meeting are read over, that you speak of?

4870

A.—No ; the concluding minute is commonly one of common import, and after the minutes are read over, the clerk commonly observes passed, and then says, I have the concluding minute read, and it is not considered proper to make any remarks after the concluding minute is made.

COURT.—Suppose no amendment is moved to the reading of the minutes, they are supposed to be accurate ? A.—They are supposed to be accurate.

Q.—The moving of an amendment, would that alter the fact that the clerk had entered, is that what you mean ? Suppose the clerk had entered, for instance, that the sense of the meeting was in a certain way upon a question that had been before it, suppose you disagreed in the meeting with that as the result of the meeting, would you dispute that ?

A.—If the meeting had disagreed, utterly disagreed, upon a point, and the clerk makes a minute if 4880 a meeting is decided in sentiment, and a clerk makes a minute for one, it does not make that minute a binding minute, because if there is no more said because they give it up as a hopeless case, that didn't control. They may say a great deal about it, but oftentimes I have known cases where the members were discarded and ceased to continue their objections because they thought the case was a hopeless one and it would not be regarded if it was; I have seen it so.

Q.—In that case then the opposition is all made before the minute is entered ? A.—Yes.

Q.—Well, is it customary where a matter has been opposed before the entering of the minute to raise the same opposition after the minute is entered ?

A.—Not very often, not customary ; if he persists in doing it, why it is a sort of hopeless case.

COURT.—But there is a power, as you say, to move an amendment to the minutes, is there not ? 4890

A.—There is a power, yes.

Q.—Well, how can you get effect given to the minute if the clerk has made a minute contrary to that ?

A.—The arguments pro and con may have been exhausted and the meeting not come to a unity—a united conclusion or to any conclusion, and one says one thing and another another, and all argument exhausted and if the clerk makes a minute, the case is given up as hopeless.

Q.—Is it allowed to re-open the discussion by moving an amendment after the clerk has made the minute ?

A.—We don't remove amendments exactly, only we propose any amendment in the minute, but it is an understood case where a clerk makes a minute for a portion, that it is not the judgment of the 4900 meeting, but if he has persisted in a course contrary suitable to the minds of one part and contrary to the minds of another, they don't prosecute that any further; I have known cases such as that.

Q.—They don't feel bound by the entry of the clerk in that case?

A.—They don't feel bound by the entry of the clerk in that case, but that is an extreme case.

Q.—Clerks don't ordinarily put themselves in that position?

A.—They don't and they shouldn't; they shouldn't make a minute, if one party says one thing and another party another—they should not record a minute as the judgment of the meeting; if there is any record, it should say the meeting is divided.

Q.—You have been clerk of a meeting for a great many years? A.—Yes.

Q.—For how many years? A.—I suppose 40 or 50 of one meeting or other.

4910

JOSHUA RICHARDSON, sworn for defendants, testified as follows:—

MR. MACLENNAN.—You are a Friend? A.—Yes.

Q.—How long have you belonged to the body?

A.—I am a birthright member, and I am 48 years old.

Q.—To what Monthly Meeting did you belong, or do you belong? A.—Dickering.

Q.—Were you present at the Yearly Meeting in '80? A.—I was.

Q.—Were you present when the new discipline was brought up?

A.—Not when it was first brought before the meeting—I wasn't present; I was there at the time it was adopted.

Q.—You were there at the conclusion then? A.—Yes.

4920

Q.—Were you opposed to the new discipline? A.—I was.

Q.—Did you make known your opposition? A.—I did.

Q.—In the open meeting? A.—Yes.

Q.—Did others oppose it also? A.—Yes.

Q.—Openly? A.—Yes.

Q.—Did you at any time withdraw your opposition from it?

A.—Never; I never withdrew my opposition.

Q.—Did you form any judgment of how the meeting was divided on the subject; how many on one

side and how many on the other at that time?

A.—That is something I couldn't tell—how many; I thought at the time that they were pretty evenly balanced. 4930

Q.—Was further time asked for consideration?

A.—It was; I asked for it myself; I wished to have it laid over for one year, so that I might know what was in the discipline with others; I had never seen the discipline.

Q.—Before? A.—No.

Q.—And had no opportunity of considering it?

A.—I had no opportunity whatever; I didn't as much as hear it read. The circumstances would not admit of my being there through the whole part of the meeting.

Q.—Then was the minute which the clerk made a correct statement of the conclusion of the meeting on this subject? 4940

MR. BETHUNE.—I object to this, bad faith must be shown on the part of the clerk; the clerk is not charged with fraud even in the amended answer.

COURT.—I admit the evidence, subject to the objection.

MR. MACLENNAN continues—

Q.—Was the minute which the clerk made a correct statement of the conclusion of the meeting?

A.—I couldn't say whether it was or not.

Q.—Did the meeting conclude in favor of the new discipline?

A.—The clerk made a minute to that effect.

Q.—And I ask you whether that was a correct statement of the views of the meeting?

A.—I couldn't say; I couldn't tell myself whether there was a majority in favor of it or not. 4950

Q.—I am not speaking of majority at all, did the whole meeting come to the view that the Discipline should be adopted? A.—Not by any means.

Q.—So that in that respect the record of the clerk was not correct?

A.—Not according to the way Friends do their—

COURT.—At all events you say the meeting was not unanimous?

A.—Was not unanimous.

Q.—Well now, is that a correct statement that it was the judgment of the meeting?

A.—It was not; it was judgment of a part of the Meeting.

Q.—Had this new Discipline been submitted to your Quarterly Meeting or Monthly Meeting previously ? A.—No, it hadn't. 4960

Q.—Didn't you know before that time that it was intended to propose this new discipline to be adopted.

A.—No, I didn't ; I knew that there had been a committee appointed for—

Q.—For revision ? A.—For Revision.

Q.—But that was all. A.—Yes.

Q.—Was this new discipline submitted to—did it come before your Pickering Quarterly Meeting afterwards ? A.—Not that I am aware of.

Q.—Or your monthly meeting ?

A.—It came before our Monthly Meeting afterwards.

Q.—But not your Quarterly ? A.—Not that I am aware of. 4970

Q.—And what was the judgment of your Monthly Meeting upon it ?

A.—We were not united in it.

Q.—It was not adopted ? A.—Not at that Monthly Meeting.

COURT.—Was it not adopted ?

A.—It was not adopted at that Monthly Meeting ; it was laid over for further consideration.

Q.—What was done with it after it was laid over ?

A.—It was then brought up at the next Monthly Meeting.

Q.—And what was done there ? A.—It was adopted then.

Q.—It was adopted there subsequently. A.—Yes.

Q.—But it was at first rejected ? 4980

A.—Laid over on account of its being objected ; there couldn't be any united conclusion in the adoption of it.

BY MR. BETHRNE—

Q.—Then you are not prepared to say on your affirmation that the minute of the Clerk was incorrect ?

A.—I am prepared to say that it didn't give a correct statement of the body, of the meeting ?

Q.—You said a moment ago you couldn't say whether the minute was correct or not ?

A.—No, I can't say whether it was correct or not according to his view of the thing.

Q.—Well now, all that minute says is that is the judgment of the meeting that the present discipline adopted—are you prepared to say it was not the judgment of the meeting, that is the solid sense of the meeting, the sense in which your body ?

4990

A.—I am prepared to say it was not the united sense of the meeting.

Q.—Because you were opposed to it for one, but are you prepared to say it was not the solid sense of the meeting ?

A.—I couldn't say whether it was the solid sense of the meeting or not.

Q.—You know, of course, that that is the way in which your bodies have always done to ascertain the solid sense of the meeting as far as it is the prevailing judgment at the meeting.

A.—In my experience it has been the united sense.

Q.—Do you mean to say nothing has passed that you have not been unanimous about ?

A.—I mean to say up to the last few years in my monthly meetings.

Q.—Will you swear or affirm that you always got everybody to agree with everything that was 5000 passed by the Yearly Meeting ? A.—No, not of late years.

Q.—Nor any year ? A.—Yes.

Q.—That is that everybody in his own mind was satisfied with everything the Yearly Meeting did ?

A.—No, but they gave way.

Q.—Because you must be a very peculiar people if 200 or 300 of you are agreed about everything that is done in that way ; I think I am looking at a man who would not be very likely to agree with a good many things that would be done. A.—Very likely.

Q.—Now, you knew that the New York Yearly Meeting had revised their discipline, didn't you, in '77. A.—I didn't, at least if I did I don't remember it.

Q.—Wasn't a copy of the New York discipline as revised in '77 in the possession of you Quarterly 5010 Meeting ? There were certain copies distributed—weren't they, and hadn't your Quarterly Meeting some of them ?

A.—Not that I am aware of.

Q.—As early as '78 and '79 ? A.—Not that I am aware of.

Q.—You can't say of course, that they hadn't ?

A.—No ; there might have been some private individuals who had some.

Q.—You went on working under this new discipline from '80 to '83, when you tendered your resignation ? A.—Yes.

Q.—What time did you send your resignation in? A.—About a month ago.

Q.—What was it that led you to resigning?

5020

A.—It was on account of the doctrines and the practices, and the innovations.

COURT.—When was it adopted by your Quarterly Meeting?

A.—In '81; I think I have a copy of the resignation; resignation paper here produced and read.

Q.—You were a long time making up your mind? A.—Yes, but we got it made up.

Q.—I suppose Brother Spencer came to see you didn't he? A.—No, he didn't.

Q.—Or correspond with you? A.—No, not on any such matters as those.

Q.—Or Mrs. Jones? A.—Not on such matters as that.

Q.—Which of you was the moving spirit in the resigning?

A.—That is more than I could say.

Q.—Some of these defendants representatives at the Yearly Meeting, or members at the Yearly 5030 Meeting put up with you—didn't they stay with you when they were up there? A.—Yes.

Q.—Which of them?

A.—Gilbert Jones I think stopped with me.

Q.—And I suppose he was sowing some heretical seed there? Wasn't he?

A.—He stopped with me these good many years.

Q.—And by and bye you began to think you had better join Gilbert?

A.—I never thought anything of the kind; I don't intend to join him now.

Q.—Perhaps you are going to join some other of the Christian bodies?

A.—I can't say as to that.

Q.—You have not made up your mind as to what you will do as to that? A.—No.

5040

Q.—Well, have a committee been appointed to wait upon you and confer with you about this?

A.—Yes.

Q.—Have they met you and have they made you see the error of your ways in resigning? A.—A committee of the Monthly Meeting have they convinced you that you were wrong in sending your resignation in?

A.—They have not.

Q.—And your resignation, I suppose, will take effect ?

A.—I can't say as to that.

Q.—Well now, what did you conceive was the illegal way in which this discipline was introduced ?

A.—Because it was not adopted by the Yearly Meeting.

5050

Q.—You are not prepared to affirm that the minute of the clerk was wrong ?

A.—Well there was other reasons besides that ; I thought we ought to know what it was we were adopting.

Q.—It was read over sentence by sentence ; the minutes show that it was read over carefully in three sessions I think ?

A.—I don't consider that any body of people could know what was in that discipline by reading it hurriedly over in that style.

Q.—Will you tell me what there is in it now that you think ought not to be in it ; you have read it since I suppose ?

A.—Yes, I read some of it.

5060

Q.—Tell me what there is in it that oughtn't to be there ?

A.—Well, I think as regards the electing of Elders.

Q.—What is wrong about that ?

A.—It was put there, I think for a purpose probably ; it was not just as it should be.

Q.—Instead of having Elders appointed for an indefinite time they are appointed for three years ?

A.—Yes.

Q.—Were you not an Elder ? A.— Never.

Q.—You were not afraid of being put out ? A.—Not a bit.

Q.— Well then, what is particularly wrong about that—about appointing them for only three years ?

A.—It was not our usual way of appointing Elders ; they were appointed for their life.

5070

Q.—Then you never think it necessary to make any change of any kind ?

A.—Very likely it is sometimes quite necessary.

Q.—But you didn't agree with that particular change ? A.—No I didn't.

Q.—Now is there anything else that you think oughtn't to have been in the discipline.

A.—Yes, there is a good deal, but I can't bring it to my recollection.

Q.—The fact is, what you objected to was his having a new Discipline at all ?

A.—I didn't object to that.

Q.—Well then, if you didn't object to having a new discipline at all, and you can't tell me some of the things you did object to in this Discipline—or perhaps they are both alike ?

A.—They are not exactly alike.

5080

Q.—Can you tell me anything else in which they differ ?

A.—I don't remember just now.

Q.—So that it certainly didn't make very much impression upon Mr. Richardson's mind ?

A.—It made a great deal of impression.

Q.—Surely it could not have when you can't tell me any other difference about it ; now, don't you know that the refusal of this Monthly Meeting to accept the Discipline would be an act of subordination which would perhaps put them out of the body ?

A.—It might have been so.

Q.—And you know, of course, that the clerk in presiding at a meeting is in a better position to ascertain the judgment of the meeting than any other member in it, don't you ?

5090

A.—Yes, but the clerk when he rose upon his feet said he could not tell.

Q.—At first ? A.—At first.

Q.—But then he endeavored to find out what it was ?

A.—After the two clerks had conferred together, he said that the woman clerk had taken down the marks, and there was a majority in favor of them adopting the Discipline.

Q.—Then he and the woman clerk did confer before arriving at a conclusion about it ?

A.—They did.

Q.—And will you say that he didn't say that it was the prevailing judgment of the meeting that the discipline was adopted, will you swear the clerk didn't say that ?

A.—I will.

5100

Q.—What did he say, then ? A.—He said it was the judgment.

Q.—What he said was that it was the judgment of the meeting that it be adopted, you remember hearing that said ? A.—Yes.

Q.—And you knew that a minute of that kind had been made ? A.—Yes.

Q.—And it was read to the meeting ? A.—Yes.

Q.—And I suppose you agree with Mr. Spencer in saying that those who didn't dissent from that were considered as yielding to the minute ?

A.—Yes, those who didn't dissent from it, of course.

Q.—There was no dissent from it when he read the minute ?

A.—Not when he read the minute.

5110

Q.—And there was no dissent the next day ?

A.—Certainly not, it passed from the meeting then.

Q.—You have attended the yearly meeting since yourself, haven't you, were you at Norwich ?

A.—No, I wasn't.

Q.—You were at the next Yearly Meeting they held at Pickering ? A.—Yes

Q.—In '82 ? A.—Yes, I was there part of the time.

Q.—And in '83 also ? A.—Yes, I was there at some sittings.

GEORGE ROURKE—Sworn for defendants, testified as follows :—

BY MR. MACLENNAN :

Q.—Where do you live ? A.—I live in township of Collingwood.

5120

Q.—Are you a Friend ? A.—I belong to the Society of Friends.

Q.—How long have you been so ? A.—I was born a member—a member since my birth.

Q.—Were you present at the Yearly Meetings in Pickering ?

A.—No, I have been at several Yearly Meetings in Pickering.

Q.—I mean the one in '80 ? A.—No, I wasn't present that year.

Q.—What Monthly Meeting do you belong to ? A.—To Grey's Monthly Meeting.

Q.—And is that part of this same Yearly Meeting ? A.—It is a part of the Canada Yearly Meeting ; Yes ; a portion of Yonge street Quarterly Meeting.

COURT—That is, you belong to Grey's Monthly Meeting ? A.—Yes, and Yonge street Quarterly Meeting.

5130

Q.—Did you know that the adoption of a new discipline was going to be brought up at the Yearly Meeting ?

A.—No, I wasn't aware of it ; I knew that a revision had been spoken of.

Q.—But not that a new discipline was to be brought up at all ? A.—No, I wasn't aware.

Q.—When did you first hear about it?

A.—After its adoption from those that attended the Yearly Meeting I heard.

Q.—The question hadn't been previously brought up either at your Quarterly Meeting or Monthly?

A.—No, we heard nothing of it in this meeting.

Q.—Had you ever seen a copy of the new discipline before that?

A.—No, I hadn't seen a copy of it.

5140

Q.—Was it submitted to your branch of the body afterwards in any shape?

A.—Not till it was sent down in the regular course to be adopted—to be acted upon by the subordinate meetings.

Q.—And what did your subordinate meetings do about it?

A.—It was objected to in our Monthly Meeting, that it had been adopted very suddenly, and it was proposed that a Committee should be appointed to examine the discipline, and see if it was in accordance with Friends' views.

MR. BETHUNE—I object to this, as we have nothing to do with what was done in Grey.

COURT—They are all members of the one supreme body; it may be evidence as showing that it was not uniformly accepted by the body; I will take the evidence subject to the objection.

5150

MR. MACLENNAN—Continues:

Q.—Your people appointed a Committee?

A.—No, they didn't appoint a committee; it didn't carry in the Monthly Meeting; it was proposed to appoint a Committee to examine it, and if they found it in accordance with the practices and views of Friends' doctrines, that they should give it their adhesion, and if not to ask the Yearly Meeting to rescind its action.

Q.—To move against it? A.—Yes, that was the proposition that was moved.

Q.—Was that done? A.—That was not adopted.

Q.—What did they do? Did they take any action then?

A.—They minuted on their books a minute that came down from their—from the Quarterly Meeting.

5160

MR. BETHUNE—Have you got the minute here? A.—No, I have not.

MR. MACLENNAN—Have you lived under that discipline since?

A.—I have lived under that discipline since, till the 7th month of this year, July.

Q.—Did your Monthly meeting put anything on record in relation to the discipline?

MR. BETHUNE—That must be produced ; it is a record.

COURT—The question is only as to the contents.

Q.—You say you lived under that discipline until July last ; did you then cease in July last ?

A.—In our Monthly Meeting at that time we adopted the old discipline—rescinded the minute adopting the new.

Q.—And you have lived under the old discipline since then ?

5170

A.—Since then ; I have the minute of the Monthly Meeting with me in regard to that.

Q.—Produce the minute ? A.—Witness produces the minute and reads it ?

Q.—Read about the new Discipline, what you did with it when it came to your Monthly Meeting in '80, November, '80.

A.—10th Month, '80, must be the one referred to.

Q.—You say there was a proposal made to appoint a committee ?

A.—A proposal, it would not show that.

Q.—Was that the meeting at which the proposal was made ?

A.—That must have been the meeting.

Q.—Then November, 80.

5180

A.—“ It is the opinion of this meeting the Discipline in use was not legal or according to the custom and practice of our Society properly and adopted, and we therefore rescind the minute adopting it, and adopt the former minute used by us,” that is the minute of the Monthly Meeting, this minute having been read and considered the following Friends declared themselves in favor of its adoption ; then follow the names of 13 members present, and those who declare against the minute are as follows, and then follow 10 names, and then it goes on to say the greater number being in favor of the minute it was accordingly adopted.

Q.—Have you any new doctrines or practices introduced into your part of the body within the last few years ?

A.—Yes, we had practices that we could not accord with.

5190

Q.—Different from the ancient practices of the Friends ?

A.—Different from the ancient practices.

Q.—Will you state some of them ?

A.—The principal that occurred in our own meeting were using mourners' benches and holding revival meetings in a manner different from the usual meetings held by Friends, what was called revival meetings.

Q.—These were separate and distinct were they from the usual meetings held by Friends ?

A.—Yes, conducted in a different manner.

Q.—Were the ordinary worship meetings used for revival meetings ?

A.—We think in one sense of the word that all our meetings should be revival meetings to a certain 5200 extent, conducted in a way that would introduce religion, and that those attending them would be benefitted by them and instructed and revived in their spirit by their attendance.

Q.—But these other meetings, these new meetings, and new modes of conducting meetings, in what respect were they different from your ancient practice ?

A.—There were mourners' benches placed, and those present were invited to come forward to these benches and be prayed for.

Q.—Was that in accordance with the ancient practice of Friends ?

A.—Not as I have been accustomed to see or understand or hear ever since I was a member.

Q.—When were these practices begun ?

A.—They have been mostly introduced within the last seven or eight years, more or less.

Q.—How were they introduced ?

A.—By members accredited as ministers from other Yearly Meetings or originally introduced.

Q.—And were these practices agreed to by all your Friends ?

A.—No, they were not agreed to, although not openly opposed at those meetings.

Q.—But were not agreed to ? A.—Not agreed to.

Q.—Were you opposed to these new proceedings. A.—Yes, I had no unity with them.

Q.—Objected, and is there any considerable number of your body who agree with you on that point ?

A.—I think all of those belonging to our Monthly Meeting all belong to our present Monthly Meeting are opposed to it, what we call our present Monthly Meeting is one that adopted the old Discipline.

Q.—Those Friends who didn't agree with you in going back to the old Discipline, what have they 5220 done, do they meet with you ?

A.—They don't meet with us, not in disciplinary meetings ; we all meet together as yet in Meetings for worship.

Q.—But in other respects you meet separately ?

A.—In other respects separately.

Q.—So that these new practices and doctrines and divisions have made a division in your branch of the body ? A.—Made a division in our Monthly Meeting.

Q.—How long have you belonged to the Society of Friends ?

A.—Since my birth, my parents were members, and that made me a member.

Q.—Were you in the habit of attending Yearly Meeting ? A.—Yes.

5230

Q.—Did you attend the Yearly Meeting in '79. A.—I am not sure whether I did or not,

Q.—The year before the new Discipline was adopted ?

A.—I am inclined to think I did, I attended the meetings up to about that time with one exception.

Q.—Then you were aware that it was a matter of discussion that there would be a revision of the Discipline ? A.—Yes, I was aware of that.

Q.—And that that was referred to a certain committee ?

A.—That was done I think in the representative meeting ; I was not a member of that.

Q.—The Yearly Meeting referred the matter to a representative meeting ?

A.—Yes, and a committee appointed I understood.

Q.—Was that in '70 you understood the matter would be dealt with in '80.

5240

A.—The revision.

Q.—Do you know as a matter of fact whether the New York Discipline was in the hands of many during this time ?

A.—Yes, I know that it was a fact that Friends of my acquaintance in that vicinity hadn't that discipline with the exception of one person to my knowledge.

Q.—You knew that one person had it ?

A.—I knew that one person had it, at least I knew afterwards he had it, I didn't know at that time.

Q.—And you didn't attend the meeting of '80 ?

A.—I didn't attend the meeting of '80.

Q.—Had you attended there, of course you would have had a voice like any other Friend ?

5250

A.—Yes,

Q.—But you voluntarily remained away ? A.—Yes.

Q.—Well, then the action of the Yearly Meeting in regard to the discipline came down to the Quarterly Meeting ? A.—Yes.

Q.—And it was adopted ? A.—It was adopted.

Q.—And the Quarterly sent it down to your Monthly Meeting ? A.—Yes.

Q.—And it was adopted ?

A.—That is where it was adopted, that is the adoption I speak of.

Q.—In the Monthly Meeting ? A.—In the Monthly Meeting.

Q.—Didn't it come down from the Quarterly, how did it come to the Monthly ?

5260

A.—Through the Quarterly.

Q.—And the Quarterly adopted it ? A.—I expect they did.

Q.—And did the Monthly Meeting give any instruction to the preparative ?

A.—Yes, the Monthly Meeting sent those instructions on to the Preparative Meeting.

Q.—So that as matter of fact, the new discipline was formally adopted in the sense of being acted upon throughout your Quarterly Meetings ?

A.—I expect it was.

Q.—And continued until July of the present year ? A.—Yes.

Q.—Now from whence came then the disturbing element to induce you to rescind what the Yearly Meeting had done ?

5270

A.—There were a number of us that were never satisfied.

Q.—But you never made any formal protest ? A.—I did.

Q.—Have you the minutes of it ? A.—You mean in writing ?

Q.—Yes, in the meeting ?

A.—No, I mentioned it in the meeting ; verbally it is not usual for Friends to place their business in writing in the Monthly Meeting ; they express them verbally.

Q.—What I mean is ; does the record there show that in your Monthly Meeting any objection was taken to the passing of the discipline ?

A.—It would not appear ; any objections did not appear on our minutes.

Q.—Were you present when it was brought up ?

5280

A.—Yes, I was present when it was brought up.

Q.—Were you present when the clerk recorded the fact of it having been adopted ?

A.—I was present when that minute was placed on the records, directing the subordinate meetings to follow the minutes of the Yearly Meeting.

Q.—After that entry had been made by the clerk did you make any protest to that ?

A.—No, it is not usual in our meetings to make any protest after that.

Q.—Well then, did you agree in what Mr. Spencer said, if no protest was made it would be assumed that the Friends, although not in perhaps strict unity with it, had yielded?

A.—No, I don't.

Q.—You didn't yield? A.—I didn't yield.

5290

Q.—How then did you come to continue with the meeting for three years?

A.—I always protested in our meetings against that discipline.

Q.—How did you protest after that?

A.—Whenever the subject of discipline was brought up, I openly stated my objections to the discipline, that I was not in unity with that discipline.

Q.—But you continued as matter of fact, at the Yearly Meeting? A.—I did.

Q.—How do you think that discipline should have passed? Should there have been unity about it?

A.—I think there should have been unity in the meeting where it passed.

Q.—Don't you think the same rule governs in the superior body, should govern in the inferior body and that there should have been unity in the Monthly Meeting? A.—Yes.

5300

Q.—Was there unity in the Monthly Meeting when you assumed to rescind the action that had been previously taken?

A.—We were not acting under that discipline.

Q.—Was there unity? A.—No.

Q.—It was pretty nearly evenly divided?

A.—Oh, there was a little difference, but we were then living under a discipline meeting.

Q.—There was 13 to 10 according to the record that you have? A.—Yes.

Q.—Was the clerk present when that was done?

A.—Yes, the clerk appointed for the day was present.

Q.—The regular clerk of the meeting?

5310

A.—The regular clerk of the meeting was absent.

Q.—And a clerk was appointed for the day? A.—For the day in the usual course.

Q.—And were the books returned to the regular Clerk?

A.—The regular Clerk didn't return home till after the Clerk was appointed in the usual custom for

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the year—his year expired before he returned home ; if he had returned home the books would have been delivered to him.

Q.—And so the books never were returned ?

A.—The books were kept in the possession of the Clerk that was appointed for the day, until the time of appointing the regular Clerk for the year, and then they were given to him.

Q.—Will you tell me about how many members of this Meeting in your Monthly Meeting—how many 5320 members in your Monthly Meeting, give me the aggregate ?

A.—No I don't.

Q.—Give me an idea ?

A.—At one time we had I think 110 members in the Monthly Meeting.

Q.—Give me an idea of how many you have now ? A.—Children and all.

Q.—I mean those who have a right to vote or to act, how many would you say ?

A.—I should think probably about 30 men Friends.

Q.—And 10 assumed to rescind ?

A.—No, I made a wrong count ; I was counting 14 as being on one side—there were 23 present at that meeting, and then there were probably 8 or 10 members not present. 5330

Q.—That would be perhaps 30 ?

A.—More or less in the neighborhood of 30 or 32 ; I think probably that would be a little over the number.

Q.—Well now, didn't you consider that unity was necessary in passing that—in taking that action to rescind what had been done ?

A.—Not according to the discipline that we were acting under.

Q.—What discipline were you then acting under ? A.—Under the new discipline.

Q.—You acted under the new discipline to rescind the action of the Yearly Meeting in adopting it—is that it ? A.—Yes.

Q.—So that you thought the law was a first-rate one in order to get back to the old law—is that it ? 5340

A.—We could act under no other until we adopted another, the old one.

Q.—Do you so understand the law of Friends that a Monthly Meeting has the power to rescind the action.

A.—Its own action.

Q.—Of a Monthly Meeting and a Quarterly Meeting, and a Yearly Meeting ?

A.—Not a Quarterly Meeting.

Q.—You understand then that a Monthly Meeting can continue its meetings and act under a different discipline from that to a Quarterly Meeting to which it holds subjection?

A.—Yes, it is a legislative body in itself; it can drop its communication with any superior meetings if it chooses. 5350

Q.—Have you dropped your communication with the superior meetings?

A.—We have not entirely.

Q.—Are you going to do it?

A.—It is not decided in our meetings what course we are going to take.

Q.—Well then at present you are in connection with the Quarterly Meeting that moved the new discipline in '80?

A.—I do not know whether we are or not; we didn't send representatives, we sent a report, but I understand it didn't arrive.

Q.—There were two reports sent to the Yearly from the Monthly?

A.—I don't know; we sent a report which was sent by mail and not received in time. 5360

Q.—Didn't some person go up to represent the business of the meeting?

A.—No, we didn't send any representative; we so far dropped our communication with that Quarterly that we didn't send any representatives.

Q.—But the other branch of your meeting did send a report?

A.—I don't know what action they took.

Q.—Well, then you are not in unity at all with the Quarterly Meeting?

A.—No, we are not in unity with the Quarterly Meeting as it stands now.

Q.—By your action repudiating what had been done?

A.—Yes, we are not in unity with any meetings that adopt the new Discipline.

Q.—You have seceded from the Quarterly? 5370

A.—We have rescinded the action of our meeting in adopting that new discipline and have adopted the old.

Q.—I suppose now if the new Discipline contains substantially the doctrines of the old you would not make objection to it merely for the sake of objecting?

A.—Not if it contains them substantially.

Q.—Will you point out to me where the difference arises?

A.—The difference principally arises in the vagueness of the way in which the doctrines are stated ; in the old Discipline they are made very plain, so that a child can understand them, at least we think so, but in the new they are vaguely stated and liable to be, if they don't cover a difference in doctrine, they are liable to be warped so as to cover it.

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Q.—So that you don't think the new discipline teaches any heresy ?

A.—I think it doesn't convey the doctrines held by the Society in full, so as they can be understood.

Q.—As clearly as the other one did ? A.—No, I think it drops—

Q.—Give us an example of that ; you are familiar with the two, I suppose, or you wouldn't have assumed to annul the action of the Yearly Meeting ?

A.—I think if I had the new Discipline I might perhaps show where I think there is a difference ; those differences come in connection with the change of doctrines that have been preached among us ; on the third page of the new Discipline, speaking of the three that bear record in Heaven, the latter part of the paragraph says, "and that these three, the Father, the Son, the Holy Ghost, are one in the eternal Godhead ;" in the old Discipline the exact Scriptural term is used, and they say that those three are one ; in this there is an addition made, "in eternal Godhead ;" I think this may be warped to convey the idea that there may be three distinct persons in the eternal Godhead.

Q.—But don't warp it ?

A.—I think it is explicitly stated there to convey that idea.

Q.—Is there anything in those particular terms that you object to ?

A.—It is not the Scriptural term ; we believe that they are one in being one great invisible Being.

COURT.—If you look at the old Discipline you will find it says, "these three are one," and then it goes on, "one God infinite Eternal and infinitesimal ?"

A.—That makes it very plain.

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Q.—Is there a distinction between the two ? A.—There is a distinction, I think.

Q.—What is the distinction ?

A.—The distinction I think is a separation between the individuality of Christ and the Holy Spirit, and God and His Son.

Q.—That is, that it teaches there are three Gods instead of one ?

A.—I think it rather conveys that idea that there are three Gods in the Godhead.

Q.—Doesn't it say that there is just one in the eternal Godhead ?

A.—If we will be allowed to use a simile in speaking of the Deity, we speak of merchants as one in their business, a company under one name, they are one in that company.

Q.—But you say that this teaches that there are three in the Godhead ? A.—Yes.

Q.—Whereas, the very wording is that there is one in the Eternal Godhead ?

A.—He does say one being ; “ one ” is used in different ways ; it implies unity.

Q.—You don’t profess to be a Unitarian ?

A.—No, I don’t ; the term “ one ” is often used to imply unity, and I think it implies that there, in this respect on account of the addition being made “ in the Eternal Godhead ” ; if the term “ one ” meant it was one God, there would be no occasion to use the addition “ in the Eternal Godhead.”

Q.—Do you believe that there are three persons in the Godhead ?

A.—No ; not three distinct persons.

Q.—Then you believe the father is the same as the son, and the son is the same as the holy spirit—
I mean that they are identical ?

A.—They are identical as one God ; they are an effulgence of the glory of that great Being.

Q.—Merely a manifestation ? A.—Manifestation.

Q.—Through the different manifestations of that one person ?

A.—Through the different manifestations of that one Great Being.

Q.—Now, coming back a moment to what took place in your meeting ; I just want to know how you happened to decide in July, or about this time, that you would take this decisive action ; were you in communication with the Westlake Monthly Meeting at all ?

A.—No, we weren’t in communication with any other meeting as I recollect.

Q.—Were you visited by any of its members ? A.—No, I wasn’t.

Q.—You hadn’t heard anything of the Friends down here ?

A.—Oh, yes ; we knew all about the difficulties for years.

Q.—Of the difficulties in the Westlake Monthly Meeting ? A.—Yes.

Q.—How did you hear about that ?

A.—By hearsay, general report of our Friends, and it was a matter that was known to all.

Q.—Were you in sympathy with them ? A.—With their action ?

Q.—Yes ? A.—Yes, in some respects.

Q.—Let us see how far you go—they have held three Yearly Meetings separate from what we call the True Yearly Meeting ; have you sent delegates, or representatives rather, to any of those ?

A.—No, we have not attended any of their Yearly Meetings.

Q.—Then up to the last Yearly Meeting you have always sent representatives to the plaintiffs Yearly Meeting? A.—Yes.

Q.—Do you still admit that your Monthly Meeting is in unity with the plaintiffs Yearly Meeting?

A.—No, we don't—not now.

Q.—Then you don't propose in future to send representatives?

A.—No we don't to the Yearly Meeting at all.

Q.—I suppose you will not deny that you have separated from that Yearly Meeting to which you have always belonged?

A.—There is no minute to that effect on our books.

Q.—What do you understand by your action?

A.—I understand that our action has separated us from that body, but we have not adopted such a resolution.

Q.—I just want a little more information as to how and what kind of unity you thought was necessary in taking this action of rescission? Did you think unity was necessary?

A.—We didn't.

Q.—Then you don't think that unity is necessary in order to take valid action?

A.—I do now; I am under the old discipline.

Q.—But you thought you would do an invalid act under the old discipline in order to get back to the old discipline, to make all your acts valid?

A.—We thought it was right for us to adopt that minute under the new discipline to relieve us of that burden.

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Q.—Then your distinct statement is that in the very act of your separation you acted under the new discipline?

A.—Yes, we had been acting under it for two or three years.

Q.—In the act of separation? A.—Yes.

Q.—And you appealed to the new discipline as giving you the right to carry that by what might be called a party vote, by a majority vote?

A.—We thought we had the right to adopt that view.

Q.—Of course you knew that the meeting was not in unity? A.—Yes.

Q.—And you knew in order to get up your 13 that you had to get up old Friends that hadn't attended the meeting for many years, some of them for years, isn't that so?

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A.—No, there was no intention, to my knowledge.

Q.—I ask you about the fact, whether it was not so that to carry that vote and get a majority of three you didn't get old Friends there that hadn't attended meetings for years ?

A.—That is not so.

Q.—Do you know any older gentleman than you by the name of Rourke ? A.—Yes.

Q.—Any relative of yours ? A.—He is an uncle of mine.

Q.—Is he dead ? A.—No he is living.

Q.—Is he deaf ? A.—Yes, very deaf.

Q.—And you had him out ? A.—He was there present.

Q.—Was he in the habit of attending your meetings ? A.—Very seldom.

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Q.—This was a special occasion, just when you were acting under the new discipline—then do you know Mr. Meets, do you know a person by that name ? A.—No.

Q.—Do you know Joseph Porter ? A.—I know Josiah Porter.

Q.—He hadn't been there for about 20 years back ?

A.—He was in the habit of attending a great many of our meetings.

Q.—Had he been at a Monthly Meeting in 20 years ? A.—Yes.

Q.—When do you remember he was there last ?

A.—He was at the Monthly Meeting in the 6th Month, the one before this.

Q.—The one immediately before ? A.—Yes.

Q.—Was the matter of secession discussed then ?

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A.—No, he was at the Monthly Meeting in the 4th Month.

Q.—And when before that ?

A.—Well, I don't remember, but but he has been in the habit of attending a large portion of our meetings—Monthly Meetings.

Q.—Do you object to Revival Meetings ? A.—Not if they are conducted according to the manner of Friends' Meeting.

Q.—So that there is nothing objectionable in revivals themselves ? A.—In themselves ; no.

Q.—On the contrary the Society was formed, it might be said, by a Revival Meeting or continuation of Revival Meetings under Fox. Do you know anything of the history of the Society ?

A.—I know something of it.

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Q.—Didn't he go from place to place holding revival meetings ?

A.—Holding meetings ; he didn't call them revival meetings.

Q.—Didn't he hold what we understand to be Revival Meetings and go from place to place for that purpose—called them, I believe, Thrashing Meetings ?

A.—He went under the guidance of the Holy Spirit, holding meetings wherever he felt directed by God.

Q.—And those meetings were strictly what we understand by Revival Meetings ?

A.—I don't know how you understand them ?

Q.—And those meetings were strictly what we understand by revival meetings ?

A.—I don't know how you understand them.

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Q.—What you understand by them ?

A.—Not in the same sense that meetings that are held now are called revival meeting—under that term are called revival meetings.

Q.—What is it then in particular that are called revival meetings and that you object to in the manner in which revival meetings have been held with you ?

A.—Inducing them to speak in meetings, in fact inducing them to act as ministers before we think they are qualified.

Q.—Is it the habit among Friends for each brother to judge his brother as to whether or not the Spirit moves him ?

A.—There are certain—

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Q.—Have you a right to judge your brother as to whether the Spirit moves him or not ?

A.—An Elder has the right.

Q.—One of the members hasn't ? A.—No.

Q.—Have the Elders ever taken any action in regard to those revival meetings that you speak of ?

A.—They have taken action with individuals ; their work lies with individuals.

Q.—I mean in regard to the manner of holding revival meetings ?

A.—I don't know that the manner of holding would come under—immediately under a single Elder's duty.

Q.—Is there any way in your church that you know of to correct any improprieties that might be introduced in the manner of holding the meetings ?

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A.—I think if the order of the Society had been observed those meetings would not be held ; the order of the Society is laid down.

Q.—Suppose it is not observed, what do you do ? Enforce the order of the Society ?

A.—We can't do it, where they are not willing to follow it.

Q.—Can't you bring the matter before certain committees ; carry it to the Monthly Meeting and carry it to the Yearly Meeting ?

A.—The discipline lays down where there is improper indications, the meeting of ministers and elders are to deal with it.

Q.—Well then this coming to a mourners bench—suppose you were conducting a meeting and the spirit moved you to ask a person to—would you be permitted to do that ?

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A.—No, there are none appointed to conduct a meeting.

Q.—I know they are not appointed by the meeting, but every one has the right to say whatever the spirit moves him to say, has he not in the meeting ?

A.—They have a right to say what the spirit gives them to say, if they follow that spirit.

Q.—Suppose the spirit gave you to say, to offer an invitation to those who desire to pray or be prayed for to come to the mourners bench, couldn't you do that ?

A.—I would endeavor to do it.

Q.—So that there would be nothing wrong about the act ?

A.—No ; but it is laid down in the book of discipline how those indications are to be judged, and I think I can show it.

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ANTHONY HAIGHT, Sworn for Defendants, testified as follows :—

BY MR. MACLENNAN—

Q.—You belong to this Society of Friends ? A.—Yes.

Q.—How long have you belonged to them ?

A.—Well, I was a birthright member, and ever since, with the exception of some 12 or 15 years probably.

Q.—When was that ? A.—Between the ages I think of probably 18 up to 12 years afterwards.

Q.—From your 18th year to your 30th you were'nt a member ? A.—No.

Q.—You are upwards of 50 years of age I suppose ? A.—60.

Q.—To what Monthly Meeting did you belong ? A.—I belonged to the Westlake.

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Q.—From all the time that you have mentioned, from the time that you belonged to the Friends,

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you belonged to Westlake? A.—With the exception of seven years.

Q.—What seven years were those?

A.—Seven years that I belonged to Cold Creek Monthly Meeting and Westlake Quarterly Meeting.

Q.—What time was that? A.—Eight years ago that I moved back again.

Q.—Are you aware of any new practices or doctrines being introduced into the Westlake body of Friends within late years?

A.—There were new practices of course introduced that I am aware of.

Q.—Mention some of them?

A.—Such as have been mentioned here—conducting Revival Meetings, and so on.

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Q.—Just mention some of them—particularly the practices?

A.—I have avoided attending any of them, so that I can't speak from personal knowledge so much.

Q.—Why did you avoid attending them?

A.—From the report that such things were carried on.

Q.—Why did you avoid attending them?

A.—From that reason—because I heard that such and such things were carried on.

Q.—At the meetings? A.—Yes.

Q.—These were the ordinary meetings, were they?

A.—No, these were the regular meetings—these were the Revival Meetings.

Q.—You mean Special Meetings that were called, apart and different from the Regular Meetings?

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A.—Yes.

Q.—Were any new practices introduced in the Regular Meetings?

A.—No, I don't know that there was so much.

Q.—In regard to prayers, for example? A.—Well, prayer was more frequent—vocal.

Q.—Any change with regard to the posture used in prayer? A.—Yes.

Q.—What change was made? A.—They were recommended to sit on their seat with bowed heads.

Q.—To sit down instead of—? A.—Rising.

Q.—Which was the ancient practice? A.—Since my remembrance, rising to their feet was.

Q.—Standing? A.—Standing.

Q.—And the person who was engaged in the supplication? A.—Kneeling.

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Q.—That was the ancient practice? A.—Yes.

A.—And the practice of sitting down was a new practice? A.—Yes.

Q.—Was there anything done with regard to singing?

A.—I never heard but very little singing. Since these practices have been in meeting, I have avoided attending anything but our regularly established meetings.

Q.—Was the singing used at any of these meetings? A.—With the exception of once or twice.

Q.—Was the practice of singing approved by Friends?

A.—I think it was by the body of Friends.

Q.—What do you mean by—the body?

A.—I mean, of the meetings as they were established there.

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Q.—You mean the majority? A.—The majority.

Q.—But they were disapproved of by others?

A.—They were disapproved of by individuals.

Q.—Yourself?

A.—Well, I disapproved of it; that is, I didn't unite with it as being exercised as a part of worship; not in the manner that it was done, but still I never took any measures to oppose it.

Q.—Was any change made in regard to reading the Scriptures? A.—Yes.

A.—What? A.—They had frequently read the Scriptures in our meetings.

Q.—Was that in accordance with the ancient practice? A.—Not as I understood it.

Q.—And what was the ancient practice in regard to the sexes of meetings?

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A.—Holding each separate meetings.

Q.—Separate clerks? A.—Separate clerks, yes.

Q.—And did their business separately? A.—Separately.

Q.—Has any change been made in that respect? A.—Yes.

Q.—What change has been made? A.—They hold joint meetings now.

Q.—And one clerk in joint meeting? A.—Yes.

Q.—Either male or female? A.—Yes.

with the same

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Q.—Well, did you approve of that change ?

A.—I didn't disapprove of the change ; I didn't express any disapproval of it.

Q.—Do you approve of it ? A.—I don't know but what I do.

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Q.—Do you think it is the proper practice ?

A.—I don't know but it is, though I think it is not in accordance with the ancient practice of Friends ; I think it is not from what I can see from Barclay or from George Fox's setting up meetings ; I can't learn that it is in accordance with them.

Q.—Both Barclay and George Fox distinctly approved of the separate meetings ?

A.—George Fox did, as I understand his writings.

Q.—Well, who are the parties that have introduced this change ?

A.—Well, the parties that have introduced it into our meetings are parties—the plaintiffs.

Q.—And they adhere to that change ? A.—Yes.

Q.—Do the plaintiffs approve of the other practices that you have mentioned ; other changes ?

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A.—Yes, I think so.

Q.—And the defendants disapprove of them ? A.—Yes.

Q.—And have all along ? A.—Yes.

Q.—The body has been divided on these questions ? A.—On these questions.

COURT.—You are one of the plaintiffs ?

A.—Under protest I am ; I was not aware of my name being used in that respect, not till after I saw it on the street writs, and I protested against it ; I sent to the Solicitor my protest, and also published it in the paper, that I protested against my name being used in connection with anything of the kind.

Q.—Then in regard to the appointment of Elders, has there been any change made ? A.—Yes.

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Q.—The change that has already been mentioned ? A.—Yes.

Q.—The ancient practice was to appoint them for life or good behavior ?

A.—Yes, during the pleasure of course, of the meeting that appointed them.

Q.—And now they appoint them for years—three years ? A.—Yes.

Q.—Has any change been made in regard to the practice of waiting for the holy spirit in meeting ?

A.—Why, I don't know that I could answer that question ; there is a silence observed still, but it is not not of such a length as it used to be.

Q.—But has the old rule been broken in upon frequently, generally without any objection ?

A.—I don't know, but it may have been ; not under my observation.

Q.—Do you recollect any instance ?

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A.—Yes, I think in one instance, I heard one Friend speak about that it was not necessary—that he was ready at all times and spoke against the guiding of the spirit in the ministry.

COURT.—Who was that—MacLean ?

A.—MacLean said that he was ready at all times ; he said how the spirit moved him ; I thought it was very harsh and very improper at the time ; I use his own words ; the spirit he said moved him very often when he came in meetings—mighty quick ; that was the words he used, and I took objections to such expressions of course, under such circumstances.

Q.—Were any steps taken with regard to his practices or teachings ?

A.—I think there was ; I understood there was ; I took no steps.

Q.—He was retained, however, and allowed to go on ? A.—Yes.

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Q.—And did he introduce other practices ? A.—Only from hearsay—I don't know.

Q.—You stayed away ?

A.—Yes, because that I considered it was my place—required to just let such things alone and watch the result ; that is the course that I have taken.

Q.—Now, which of these two parties is in the majority in Westlake ? A.—I couldn't say.

Plaintiffs or defendants ?

A.—I couldn't say as regards that ; I don't know that I could say in regard to that.

Q.—You have an opinion about it ?

A.—Yes ; I haven't attended any of the defendants meetings at all.

Q.—But at the time these practices were going on what proportion of the Friends approved of them, 5670 and what proportion of the Friends disapproved of them ?

A.—I should judge there was no very great difference, although one made a good deal more noise than the other. and a person judging that way could hardly judge.

Q.—Which party made the greatest noise ? A.—I know that, of course.

Q.—Which ?

A.—The plaintiffs, of course ; there seemed to be more life.

MR. CLUTE—More spirit ? A.—Yes, such as it was.

MR. MACLENNAN.--Continues:

Q.—Were you at the Yearly Meeting in '80? A.—No.

Q.—Before that Yearly Meeting did you hear that a new discipline was going to be introduced? 5680

A.—In '77, I think '76 or '77 on account of these new practices, and these meetings I absented myself, and from what I see observed in the Yearly Meeting; I absented myself from the Yearly Meeting, and I have not attended any Yearly Meeting since that.

Q.—On account of these new practices? A.—Yes.

Q.—You weren't at the Yearly Meeting services? A.—I was not.

Q.—Did you hear before that Yearly Meeting of the intention to introduce the new discipline?

A.—No.

Q.—Had you seen this New York discipline at that time? A.—I hadn't.

Q.—Had any copy of it been sent to your Quarterly or Monthly Meetings as far as you know?

A.—Not through the clerks, that I know of; there may have been a good many members had it, 5690 but I have no knowledge.

Q.—You yourself were Clerk of the Monthly Meeting? A.—Yes.

Q.—And you would have known of anything of the kind? A.—I think so.

Q.—And you didn't know? A.—No.

Q.—When did you first hear of this new discipline being adopted?

A.—When the return from the Yearly Meeting that it was adopted.

Q.—Was it brought up in the Quarterly when you were present?

A.—It was brought up in the second Quarterly Meeting after the Yearly Meeting

Q.—Were you there? A.—I was there, yes.

Q.—Were you opposed to it? A.—No.

Q.—To its introduction? A.—No.

Q.—You were not? A.—No, under the circumstances.

Q.—Were some of the brethren who were there opposed to it? A.—Yes.

Q.—Did they ever withdraw their opposition to it?

A.—No, not that I am aware of; my course that I took, if I will be allowed to state it, in the

Quarterly Meeting at that time, as I was assistant clerk. I said when the matter was brought before the meeting that I considered that the Yearly Meeting was very uncharitable in sending that discipline down to the Quarterly Meetings in this way, without them having any knowledge of it, but as the circumstances were, I was in favour of adopting it under the present circumstances.

Q.—Under existing circumstances ? A.—Under existing circumstances.

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Q.—But you disapproved of the way in which it was brought forward ?

A.—That is what I said and stated in meeting when the thing was brought to the meeting.

Q.—Do you think it is in accordance with the ancient practice to adopt a discipline in that way ?

A.—I don't.

Q.—This new constitution was indeed adopted without your knowledge, without your having any opportunity of forming any judgement upon it ?

A.—As far as the Yearly Meeting was concerned, of course.

Q.—What is the ancient practice with regard to any matter that is brought before a meeting.

A.—I always understood that the basis of the transaction of any business in our meetings was unity—that no business could be done. I think the minutes and the books will bear me out in that, as they 5720 are all drawn up, the meeting is united so-and-so to all questions, If there is any dissenting voice, the clerk can't record a minute, of course, and consequently that business is laid over.

Q.—And either be taken up again or not

A.—Either be taken up again. It is to be laid over to be taken up again to see if the members constituting the dissenting voices can't see eye to eye, and if they can't, the next time it is taken up, and the meeting sees fit to lay it over again, it does so, and if it still continues, they have the privilege to ask assistance from the Superior Meetings, and the Superior Meetings grant assistance by appointing a committee to form a component part of that meeting and act with them.

Q.—And to see if they can come to unity ? A.—To see if they can come to unity.

Q.—But the practice has been in your recollection that the meeting had to come to unity ?

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A.—To unity, or the clerk couldn't form a minute ; that was my understanding always in regard to business or the transaction of Friends.

Q.—I have not asked you anything about new doctrines. Do you know anything of new doctrines being preached in your meeting ?

A.—I have heard—I have heard very little, if any, not in the meetings that I have attended.

Q.—Have you heard some ?

A.—I have heard some. Noah Maclean stated just what I have stated before, and he spoke one

time at a funeral there with regard to the resurrection.

Q.—Who ?

A.—Noah Maclean, and he said in staying there, the burying ground was at my house, he said these 5740
very bodies, he says, will be raised again, and appear at the last day, and I could'nt accept that senti-
ment in that way.

Q.—That is not the doctrine of Friends ? A.—I never understood it so.

Q.—And you dissented from that ? A.—I dissented from that.

Q.—Was there a large meeting of Friends present ? A.—Yes.

Q.—And did Maclean remain for some time after that ? A.—Yes.

Q.—He was allowed to stay and to act—what part did he take while he was here ? What did he do
while he was here ; was he a preacher ? A.—Oh, yes.

Q.—A minister ? A.—Yes.

Q.—And did he continue to preach after that ?

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A.—Yes ; I also heard him state that the spirit of Christ had nothing to do with an unconverted
person ; I took objection to that too.

Q.—When did you hear him make that statement ? A.—It was at a meeting in Wellington.

Q.—In church ? A.—Yes ; in the meeting of course, in his sermon.

Q.—That the holy spirit had nothing to do with an unconverted person. A.—Yes.

Q.—And is that in accordance with the doctrines of the Society ? A.—I think not.

Q.—Did you know Radcliff ? A.—Yes, he was with Maclean.

Q.—Did they come together ? A.—Yes.

Q.—And they were acting together in concert ? A.—Yes.

Q.—And a man named Scott also ? A.—Yes.

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Q.—He is the first that we have heard that introduced new doctrines and practices—is that accord-
ing to your recollection ?

A.—No, I never heard Scott—not in my hearing advance any doctrine that I objected to—not when
he was there that time.

Q.—You didn't hear it ? A.—I didn't hear it.

Q.—Blackledge did you know him ? A.—Yes.

Q.—He was later again than Maclean ? A.—Yes.

Q.—And did he preach the new doctrines that have been mentioned ?

A.—Not to my hearing much.

Q.—Did you go to hear Blackledge ? A.—I attended our regularly established meetings.

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Q.—But he had other meetings ?

A.—He had other meetings, of course, for weeks at a time.

Q.—What he called revival meetings ? A.—Yes.

Q.—Holding them among the Friends ? A.—Yes.

Q.—And Kenworthy ? A.—Kenworthy was there.

Q.—And what were his practices ?

A.—I think they were much in accordance with the rest—so I understood.

P.—You mean the same as Blackledge ; did he hold revival meetings ?

A.—Yes, I understood so.

Q.—And Woodward ?

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A.—Yes, I don't know anything about Woodward ; I don't know as I should know him.

Q.—Do you know John Dorland, Junior. ? A.—Yes.

Q.—Is he a preacher ? A.—Yes.

Q.—Now ? A.—Yes.

Q.—In the plaintiffs meeting ? A.—Yes.

Q.—And how long has he been preaching ?

A.—I think his ministry was acknowledged some ; I wouldn't like to be precise about the time—some 4 or 5 years probably.

Q.—And have you heard him preach anything new ?

A.—Very little ; I heard him preach once that no man had a right to dictate to him what he said 5790 at all, or what he didn't—dictate to him what he should preach or what he shouldn't ; I took exception to that, because I think a man with that view should go out on his own responsibility as an Evangelist, and should stand his own grounds.

Q.—The doctrine of Friends is that ministers are subject to the Elders ? A.—Yes.

Q.—And subject to be corrected for any erroneous teaching ? A.—Yes.

Q.—Was anything done to Dorland for uttering these sentiments? A.—No, not that I am aware of.

Q.—He is retained as a minister still? A.—Yes.

Q.—By the Plaintiff's Meeting? A.—Yes.

Q.—Well, have you heard him preach any other unsound doctrine?

A.—Not that I can call to mind now—not that I considered unsound, that is.

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Q.—Are you clerk of Monthly Meeting still? A.—No.

Q.—When did you cease to be clerk? A.—Last November.

Q.—How did you come to leave the office of clerk?

A.—They are appointed a year at a time, and that had expired.

Q.—And were you willing to be appointed for another year?

A.—The appointment is made by the meeting, and of course a committee appointed to bring in names for clerk, they brought in several names.

Q.—And left you off? A.—Yes.

Q.—Would you have been willing to serve if they had put you on?

A.—I don't know; I don't think it is important with regard to that.

5810

By MR. BETHUNE—

Q.—You thought that Mr. Dorland was a little insubordinate?

A.—I thought that expression—

Q.—Not right? A.—In my estimation.

Q.—That was not any error in doctrine at all? A.—No.

Q.—Simply a little insubordination? A.—Yes, that is all.

Q.—You remonstrated with him, of course? A.—I didn't have an opportunity of doing so then?

Q.—Did you afterwards? A.—No.

Q.—Dorland does not belong to your Monthly Meeting, does he? A.—Yes.

Q.—I thought he lived at Brooklyn? A.—He lives there now.

5820

Q.—At this time he belonged to your meeting? A.—He does now belong to our monthly meeting I think; he is accredited to Brooklyn from our monthly meeting.

Q.—Then the only unsoundness that you could charge to Noah Maclean was his stating at a funeral on one occasion that the Holy Spirit had nothing to do with an unconverted person?

A.—Not at a funeral.

Q.—Where was this preaching of Noah Maclean's? A.—Wellington.

Q.—And I suppose you would not undertake to give us the whole sermon? A.—No.

Q.—This struck you at the time? A.—As not agreeing with my views of that.

Q.—And I suppose you couldn't give us even a sentence of what he spoke at all?

A.—No further than just what I related, the expression that he made with regard to—pointing to 5830 the graveyard—these very bodies.

Q.—Wherein did that differ from your idea.

A.—My idea was that of dust thou art, and to dust thou shalt return—something of that in my mind.

Q.—The Society of Friends have some teaching on the point. They say that the body shall be raised, the spiritual body, and the idea was that it was not the same body? A.—Yes.

Q.—Did you remonstrate with Mr. Maclean about that, or speak to him about it? A.—No.

Q.—I suppose you can't say but what if you come to talk to him about that, you and he might be in accord about that?

A.—I can't say but I undertook to remonstrate with him when he first came there. I think the 5840 first time that I heard him.

Q.—That is the time he used that expression you refer to?

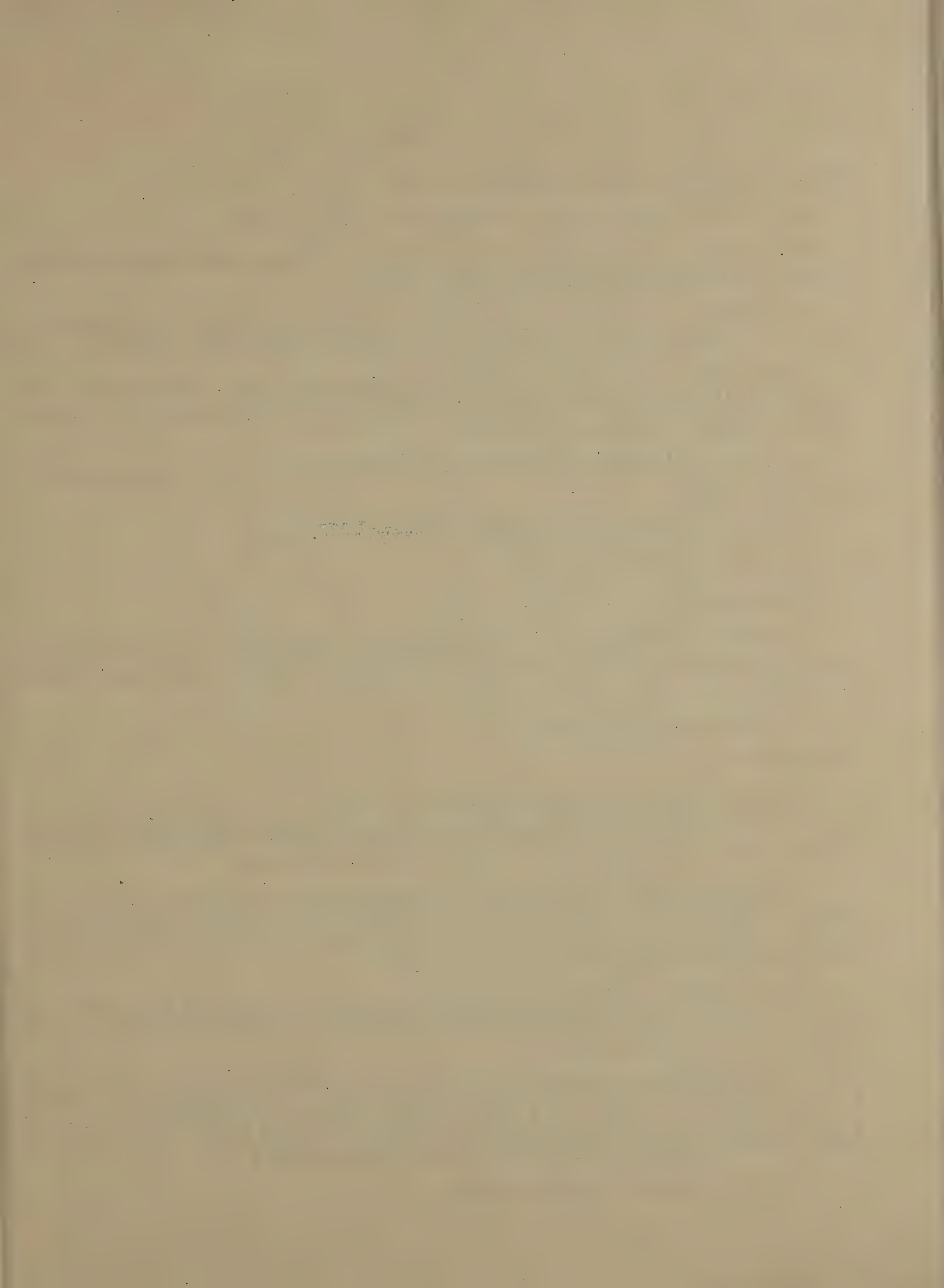
A.—No, I undertook to remonstrate with him with regard to his reading the scriptures in meeting, and he turned me off with saying, without the scriptures there was no salvation for us, and finally I just said that he and I didn't agree on that point, and I suppose there was no use any further talk about it.

Q.—He was a colored gentleman I believe Mr. Maclean? A.—Yes.

Q.—And this expression, "mighty quick," may have been used by him without any sense of irreverence at all?

A.—It may have been, but I don't think it was proper expression to use on such an occasion, in such a place. 5850

Q.—Now when a minute is prepared and announced to the meeting, and the meeting don't dissent from it, of course a clerk would be perfectly justified in assuming that the objectors had yielded their objection to it? A.—No, my understanding of that is that when the clerk forms a minute he gathers the sense of the meeting as he understands it, of course. When he forms a minute and there is no



dissent from it, of course it goes—that minute is formed.

Q.—You would understand that to be the duty of the clerk? A.—Yes.

Q.—You say this suit is carried on in your name as one of the trustees under protest, that is because you have conscientious objections to going to law? A.—Yes.

Q.—Then have you ever formed any judgment as to whether the theology of the Defendants is sound or not—whether they are sound in doctrine, in accordance with the tenets of the church? 5860

A.—No, with regard to my own opinion of those things from my reading of the Scripture and the arguments on the Scripture by Robert Barclay, they agreeing with mine, and I think it is the best exposition of Scripture doctrine that I ever heard.

Q.—You don't know enough about what the views of the Defendants are to express any opinion about them. A.—No.

Q.—Did you ever tell anybody you thought their views were unsound?

A.—I don't remember that ever I did.

By MR. MACLENNAN—

Q.—At this yearly meeting we are told that persons present were opposed to the new discipline, and expressed their opposition to it; now would it be at all proper for the clerk to record that the discipline 5870 was passed?

A.—I shouldn't consider it so at all.

By MR. BETHUNE—

Q.—But if the clerk in the exercise of his best judgment thought that the solid sense of the meeting was in favour of it and then read the minute to the meeting, and the meeting didn't dissent, there would be nothing wrong in that, would there? A.—Yes, in the face of opposition.

Q.—Supposing the minute having been read the clerk having heard all about that opposition then determined that the solid sense of the meeting is in favour of it, and he reads the minute and then the people who theretofore had been objecting to it, don't say anything, don't still persist in their objection, wouldn't you consider that they had given way? A.—No. 5880

Q.—Why does that never happen that they give way? A.—No, it very often happens that they give their sentiment in meeting in subjection to the views of the meeting; that is, done before the minute is formed at all, or anything of that kind.

Q.—But where a discussion has taken place for some little time, and in the course of that discussion some people object, but the clerk having heard the whole case, comes to the conclusion that the solid sense of the meeting is in favor of adopting it, and he writes his minute and he reads that minute to the meeting, and then no person at all objects, wouldn't that be a good minute?

A.—I never knew such an instance to come up.

Q.—Suppose a case of that kind comes ?

A.—I never knew such a thing.

5890

Q.—If such a thing as that occurred wouldn't you think that a good minute ?

A.—No, because I was well aware there was the opposition, and they hadn't yielded that opposition.

Q.—How would you know they hadn't yielded ?

A.—They hadn't expressed it; they give their sentiment in subjection to others; well if the prevailing sentiment is against them, why they say no more before the minute is read; the clerk hears that they give their expression in that way.

By MR. MACLENNAN :

Q.—You were yourself an Elder; were you ? A.—Yes.

Q.—And that is why you spoke to MacLean ? A.—Yes.

5900

Q.—It was part of your duty as an Elder to do so ? A.—Yes.

Q.—Do you know anything about ministers being hired receiving stated salaries ?

A.—I can't speak from knowledge of it, anything about it.

Q.—Is it in accordance with the practice of the Friends to have ministers under salary ?

A.—It is not, as I understood.

Q.—Do you know any of the ministers now in Westlake who were so employed ?

A.—I don't know that they are employed so at all.

Q.—Have you any idea of anything of that kind ?

A.—I have heard that there were, of course.

Q.—From whom did you hear ?

5910

A.—I couldn't say it is the prevailing opinion.

Q.—I would like you to tell me from whom you received the information; who told you there were ministers paid ?

A.—I think it is from my sister-in-law for one.

Q.—Any of the plaintiffs ? A.—She is on that side; she attends their meetings.

Q.—She is one of those who for whom the suit is brought ?

A.—Yes; objected to by Mr. Bethune, and objection allowed.

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Q.—Did you hear from any of the plaintiffs; any of the other plaintiffs?

A.—No, I don't remember that ever I did.

Q.—Do you know of any of the money of the meeting being used for any such purpose? A.—No. 5920

ALFRED CRAWFORD, sworn for Defendants, testified as follows:—

By MR. MACLENNAN:

Q.—Where do you live? A.—Cold Creek; Monthly Meeting.

Q.—You belong to Cold Creek Monthly Meeting? A.—Yes.

Q.—And you have nothing to do with Westlake, have you?

A.—I belong to Westlake Quarterly Meeting.

Q.—Do you hold any office in the meeting? A.—No.

Q.—You are not an elder? A.—No.

Q.—Have you been attending any of the meetings at Westlake; any of the Monthly Meetings or Worship Meetings? A.—I have been in the habit of doing so frequently, 5930

Q.—For how long? A.—Well, off and on for 3 or 4—4 years.

Q.—How long have you been a Friend? A.—About 31 years.

COURT.—You attended Worship Meetings and Quarterly Meetings at Westlake for the last three or four years? A.—Yes.

Q.—Do you know of the new practices that have been spoken of by the witnesses? A.—Yes.

Q.—And are these practices in accordance with the ancient practices of Friends?

A.—Well, you have asked me a question that really I don't know what I could answer.

Q.—As far back as your experience goes? A.—Decidedly.

Q.—They are?

A.—They are not, that is there are innovations in the practices of the Society in my joining of it. 5940

Q.—There are innovations in the practices of the Society as they were?

A.—At the time I joined it.

Q.—Will you specify some of these practices that are new?

A.—Well the introduction of singing.

Q.—Singing in meeting? A.—Yes, personal and congregational singing.

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Q.—Have they been practicing congregational singing, too ? A.—Yes.

Q.—Where ?

A.—At Westlake ; they did it at Wellington, at the time Blackledge held his meetings there.

Q.—Anything else ? A.—Reading the Scriptures.

Q.—At meeting ? A.—Yes.

5950

Q.—Anything else ? A.—They had a penitent bench.

Q.—Was that at the same time ? A.—Yes.

Q.—And what use was made of it ?

A.—Inviting individuals forward to be prayed for.

Q.—Anything else ? A.—Reading the Scriptures.

Q.—At meeting ? A.—Yes.

Q.—Anything else ? A.—I don't bear anything else in mind at the present time.

Q.—How about waiting on the Spirit to move the speakers ?

A.—I never heard any special expression regarding that.

Q.—Or any practice contrary to it ?

5960

A.—Well, people's idea of how they are moved, and in what way they should be moved, of course differ ; while one would object at it not being in keeping with the requirements of the Holy Spirit or the drawings of the Holy Spirit, others might say that it was ; I wouldn't pretend to say, for my part, in the matter.

Q.—Anything as to relating experience ?

A.—They were invited, individuals were invited to express what the Lord had done for them.

Q.—How long have these practices been going on ?

A.—I don't know that I could say the term of years.

Q.—Do they continue to the present time ?

A.—I expect they do---yes, they did this season, I believe, in the Yearly Meeting—Morning Meeting. 5970

Q.—In the Yearly Meeting ?

A.—Yes, there are meetings provided by the Yearly Meeting, called Morning Meetings---meetings of inquiry and general service to revive the church---for the revival of the church.

Q.—Where were they held at this yearly meeting? A.—At Pickering Yearly Meeting.

Q.—Was anything of the kind held in the Westlake Meeting House?

A.—There was, about two years ago, a Revival Meeting that I was at, and I suppose there has been some since. I have heard there was.

Q.—And the same thing was practiced this summer at the Yearly Meeting, Pickering, held by the Plaintiffs that the Plaintiffs belonged to? A.—Yes.

Q.—You were there? A.—Yes.

5980

Q.—Was there any innovation in regard to the posture in prayer?

A.—Well, this is a point that there was a decision made on in the meeting some few years ago, that it was better to change the posture, or at least the ancient way of doing—

Q.—At Westlake?

A.—Well, I am not certain whether that motion was made or got up first at the Quarterly, or Monthly or Yearly Meeting; anyway they concluded as a general thing to make that change.

Q.—And what was the practice in Westlake?

A.—I think it has been a practice as long as I have attended or lived in this Quarterly Meeting, to sit still—I think so.

Q.—That is within the last—? A.—Two or three years.

5990

COURT.—What was it before that period?

A.—When I used to live in Yonge Street Quarterly Meeting some years ago, they were in the habit of rising to their feet; that was the ancient custom of the church—the habit of the church at the time I joined it.

Q.—To stand at prayer? A.—Yes.

Q.—And in regard to the meetings of men and women, has there been any change in the practice at Westlake? A.—That in regard to transacting business?

Q.—Meetings of discipline? A.—Yes; they were held separate bodies with closed shutters.

Q.—That was the old practice? A.—Yes.

Q.—And what is the practice they follow now in Westlake Quarterly or Monthly; you say they are 6000 now joined? A.—Yes.

Q.—One clerk instead of two? A.—Yes; well, clerk and assistant clerk, as usual.

Q.—You still belong to the Plaintiff's Monthly Meeting? A.—I do.

Q.—And are the partitions left there standing still, at the Westlake Meeting House?

A.—I believe they are; I have not heard of their being removed; they are always open at the time of meetings of worship—always worship together.

Q.—That is, worship with shutters open. A.—Yes.

Q.—At Cold Creek, where you belong, what has been done there.

A.—They took away the partition altogether.

Q.—Since the new discipline? A.—This last summer.

6010

By MR. BETHUNE—

Q.—Then you are in accord with the new discipline or working under it. A.—Yes.

Q.—Now speaking of the revivals which were had there, so far as you could judge, were they productive of good to the Society.

A.—I should think they were.

Q.—And I suppose if anybody had complained about them as contrary to the usages and disciplines of the Society, it would have been possible to have had the matter brought before the Yearly Meeting even, wouldn't it?

A.—I will answer the first question again; as regards the good that is done, as many as I considered were converted, that is in keeping with the doctrines of the Society, I considered they were benefitted; 6020 but in any case where they were converted to another doctrine, I considered they were damaged.

Q.—Have you any experience at all of it, whether the defendants doctrine is quite sound; have you ever heard any of their teachings or preachings that you thought were not sound?

A.—Well there is a point in their doctrine that there is concilicting opinions regarding.

Q.—What is that?

A.—As regarding the divine principle existing in the hearts of every human being.

Q.—And how do you know that that is part of their doctrine? A.—I say it is not.

Q.—How do you know that they are preaching that doctrine; that the defendants are teaching that 5980 doctrine?

A.—I have not heard them teach it particularly?

6030

Q.—Do you know what doctrine they do teach or preach?

A.—The defendants, they teach the doctrines of the Quakers church.

Q.—Well then there is no change between the doctrines of the two parties, so far as you know?

A.—Well, I may say there is.

Q.—What is the difference?

A.—Well, I consider the doctrines that are supported by this Yearly Meeting at the present time to be the final perseverance of the saints.

COURT.—Do the defendants advocate that? A.—Plaintiffs.

Q.—The plaintiffs advocate that? A.—Yes.

Q.—Where do they advocate that?

6040

A.—Their movements in every sense of the word.

Q.—Is there anything in their discipline about it?

A.—Not at all; nothing in the discipline, of course, but they have different ministers that hold it, and they have elders that hold it, and their movements toward me in working against that doctrine, has manifested a united power in favor of it.

Q.—Then you are opposed to the doctrine yourself?

A.—I am somewhat; I have got their books and read it to know whether there was any truth in it—that is, that would satisfy my mind better than the ancient doctrines of the Society and I find there was not.

Q.—Now, did you ever bring that matter of the theology of these elders and ministers as to the final perseverance of the saints before any of the bodies, in order that they might be corrected and put right?

A.—I have.

Q.—When? A.—At our Monthly Meeting.

Q.—At Cold Creek? A.—Yes.

Q.—When was that? A.—I think it is about a year since, if I ain't mistaken.

Q.—But you never carried it any further than Cold Creek, did you, Monthly Meeting?

A.—Well, I have labored a good deal with the elders in different Monthly Meetings.

Q.—So far as you know, you have never carried that particular matter beyond the Cold Creek meeting; never carried it to the Quarterly?

6060

A.—No, I had no opportunity of doing so; I couldn't do it; I used my influence that the elders did their duty in the matter.

Q.—You say some years ago some decision was arrived at at the Yearly Meeting, as to postures in prayer?

A.—I said I didn't know where it originated—that the Yearly Meeting and all subordinate meetings have adopted it—concluded best to do so.

Q.—About how many years ago ? A.—Really I couldn't say.

Q.—As much as 5 or 6 years ago ? A.—I should think so.

Q.—And since then there has been no disapprobation of the practice, has there, as far as you know ?

A.—No, not in our body.

6070

Q.—The Yearly Meetings themselves were in the habit of sitting while somebody was praying. That is so, isn't it ?

A.—Yes.

Q.—For five or six years, or more ? A.—Yes.

COURT —Then you say the change was adopted by the inferior bodies—the Quarterly and—

A.—Yes.

Q.—Then you didn't yourself, I presume, judge of any person as to whether he was in that bad spirit, or false spirit, or delusive spirit ?

A.—No I would not, as far as I have been in meeting, I am sure. As their faith be, so be it unto them. I wouldn't pretend to rule them in these matters.

6080

Q.—You didn't object yourself to the singing when it went on in meeting ?

A.—I objected to congregational singing,

Q.—I mean individual singing ?

A.—My opinion is that if a person sings with the spirit and with the understanding, that they should have the privilege of doing so, at the same time I would not wish to trust the like of that to the injury of the body, hurting the feelings of any.

BENJAMIN W. WOOD, sworn for Defendants, testified as follows :—

By MR. MACLENNAN :

Q.—Where do you reside ? A.—At present at Parkdale, near Toronto.

6090

Q.—Are you a member of the Society of Friends ? A.—I am.

Q.—Were you a member of Westlake at any time ? A.—Never.

Q.—Are you a member of the Canada Yearly Meeting ?

A.—I have been, since its establishment.

Q.—What Monthly Meeting do you belong to ? A.—Monthly Meeting at Pickering.

Q.—You never were connected with the Westlake than at all ? A.—No, never.

Q-What year?
A-1964

Q-What year?

A-1964

Q-What year did the photo of the

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you appeared to the new description in favor

Q-What year did you appear to the new description in favor
A-1964

Q-What year did you appear to the new description in favor
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Q-What year did you appear to the new description in favor
A-1964

Q-What year did you appear to the new description in favor
A-1964

Q-What year did you appear to the new description in favor
A-1964

Q.—Were you at the Yearly Meeting in '80 ?

A.—Yes, I was.

Q.—Were you there when the discipline was considered ?

A.—I was part of the time, not the whole of the sittings.

Q.—Were you there at the time the minute was made ? A.—I was.

Q.—Were you opposed to the new Discipline or in favor of it ?

A.—I can't say that I was opposed to it, for I knew nothing about it, but I was strongly in favor of deferring it for another year until we could have time for the purpose of consideration; at the time I was teaching in the College, and it was impossible for me to attend the sittings wherein it was read, and my objection was that not knowing anything that was in the Discipline, and many Friends in Canada being in the same condition, it was unjust that we should be required to subscribe to that discipline.

Q.—And did you make known your wishes ? A.—I did, strongly.

Q.—Were any of the brethren who were present opposed to it ?

A.—Yes, I should judge as has been said, at least, if not more than one half and the weightier part 6110 of the meeting.

Q.—And they made known their opposition ? A.—They did.

Q.—Do you recollect anything being said as to persons speaking more than once ?

A.—Yes, the clerk made that objection deciding, or ruling rather, that no member should speak more than once on a subject.

Q.—And were brethren put down in consequence of that ? A.—I believe they were.

Q.—Did you withdraw your objection ? A.—I didn't.

Q.—Did any brethren that you observed withdraw their objections ?

A.—I didn't hear of any withdrawing it.

Q.—Were you previously aware that the new discipline was going to be proposed before the Yearly 6120 Meeting ?

A.—Not until the Yearly Meeting was in sitting; I hadn't attended the Yearly Meeting previously; it was a Friend told me such was to be brought on; was the first I heard.

Q.—That was while it was in session ? A.—During the present session.

Q.—Had any copy of it been made· been laid before your Quarterly ?

A.—I had never seen that discipline before.

A - For instance, one
the following - This is

Q - In the same manner as I
and all members of one body, and all have
received, adopting the new discipline, and
adoption of the discipline.

Witness, I have heard many
admitted and aged as by action, and by witness.

Q - Since when?

A - I can not say.

A - There has been a division.

Q - I ask of you, what is the result of the

division, and what is the result of the

A - I can not say.

Q - And are the divisions the same?

Q.—And as far as you know had any copies of it been sent to any of the subordinate meetings of the Friends ?

A.—I believe not ; not that I knew anything about.

Q.—You have no personal knowledge then of any teachings at Westlake at all ?

6130

A.—Very little indeed—only from hearsay.

Q.—Were any new proceedings introduced into your section of the church ?

A.—Yes, numerous ones.

MR. BETHUNE.—That can hardly be evidence here.

COURT.—On the same principle as I admitted the former ; I think I ought to admit this, that they are all members of one body, and all have a right to sit at the Yearly Meeting, where this resolution was passed, adopting the new discipline ; and I think it was regular enough to show what was the effect of adopting of the discipline.

WITNESS.—I have heard nearly, if not all, of those already stated with others still more preposterous advocated amongst us by strangers and by ministers belonging to the Yearly Meeting in Canada.

6140

Q.—Since when ?

A.—Both before and since the time of the adoption of that new discipline.

Q.—And is there a division in your body ?

A.—There has been a division universally throughout the Dominion of Canada.

Q.—I speak of your own particular branch of the Yearly Meeting ?

A.—Pickering Monthly Meeting ; yes, there has always been a division in sentiment since that time.

Q.—And practice ? A.—In both practice and doctrine.

Q.—And are the divisions that exist there similar to those that you have heard described as existing in Westlake ?

6150

A.—As far as I can call it, similar under the same circumstances.

Q.—Theirs is the party adhering to the old practices and doctrines in your division ?

A.—For the sake of peace and quietness, and our loyalty to all whether to that of the government or to that of religious denomination would be given in our allegiance to that discipline, but it was under a protest, though not a written one.

Q.—Your branch of the Society then lived under the new discipline ?

A.—We did, and as far as know do yet.

Q.—But under protest ?

A.—Under protest ; my remark at the time of the Yearly Meeting was that even the laws that were legislated in Canada went through first, second and third reading before they passed as law, 6160 whereas this came up, and they were also published, and then this came up before us with a very small number of our members knowing anything about it, and passing it as law over our heads.

Q.—That was the objection you made ?

A.—That was my objection to it ; all that I asked them to do was to defer it for further consideration for one year.

Q.—And did you hear others speak in the same sense ?

A.—I heard a number of our worthy and faithful Friends asking some favor of the meeting.

By MR. BETHUNE :

Q.—Are you still a teacher in theology ? A.—I am not.

By MR. MACLENNAN :

6170

Q.—As to Mr. Woodward, do you know him ?

A.—Yes, I do, I am personally acquainted with him.

Q.—When did you first know him ?

A.—I think at the last Canada Yearly Meeting.

Q.—That is in '83, last June.

A.—No, it would be a year ago last Canada Yearly Meeting.

Q.—It would be in '82 ? A.—I think it would be in '82.

Q.—Had you known anything of him before that ?

A.—No, I didn't know him in his previous visits to Canada.

Q.—What was he doing in '82 ; what was his occupation, how was he employed ?

6180

A.—I don't know, but I had heard that he had been a hireling preacher abroad.

Q.—What did you observe him to be doing or engaged in in '82 ?

A.—I know very little about him ; my witness with regard to him would be of no value except from hearsay.

Q.—Do you know whether he was mixing himself with Friends at that time in '82 ?

A.—I believe he had been preaching amongst Friends.

Q.—I want you to speak of what you know personally yourself, not what you heard ?

A.—I know nothing about the man except from hearsay ; he came from a foreign country.

Q.—Have you heard him preach? A.—I have.

Q.—Where ? A.—In Toronto and Pickering and Yonge Street ?

6190

Q.—And in Friends' meetings ? A.—In Friends' meetings.

Q.—You have heard him preach in Toronto, Pickering and Yonge Street, in Friends' meetings ?

A.—In Friends meetings.

Q.—When ?

A.—Since that time ; I have heard him preach in Toronto in the 4th Month in the present year.

MR. BETHUNE.—Are we answerable for what he says in other places ? It is absurd to hold us answerable for what an isolated individual is preaching elsewhere.

COURT.—The presumption is that he will preach the some thing at this place then.

MR. MACLENNAN continues--

Q.—Has he any employment under the Yearly Meeting ?

6200

A.—No, not under the Yearly Meeting, that I know of.

Q.—Or any meeting ?

A.—I believe that he is at present hired by the Toronto Preparative Meeting ; I only know it from what one of the members told me, and what the editor of the "Evening News," when he interviewed, said—objected to and objection allowed.

Q.—You have heard him preach in Toronto ? A.—I have.

Q.—How did he conduct that meeting you were present at in Toronto ?

A.—Objected to and objection allowed.

By MR. BETHUNE —

Q.—You are not teaching in the college any longer now ? A.—No, I am not.

6210

Q.—You were in '81 ? A.—At that time in '80.

Q.—Did you resign your situation in the college ? A.—No, I didn't resign.

Q.—Were you removed ? A.—I was.

Q.—And I suppose you are somewhat sore about that ?

A.—Not a bit ; I never felt the least about it ; I would not mind if I had lost the world for my convictions.

Q.—Then you think you were removed for your convictions ?

A.—No, I don't say that I was ; it may have been they would have been objectionable to some—I never asked them.

Q.—I would judge from the way you speak that you have some grievance against some of them ? 6220

A.—Not at all ; I have no grievance against them, neither do I hold enmity against another man.

Q.—Then you are still a member of the plaintiffs Yearly Meeting ? A.—I am.

Q.—And you have not joined the defendants meeting ? A.—I have not.

Q.—And don't intend to do so ?

A.—I can't give anything in regard to my intentions ; I don't think those have any bearing on this case.

Q.—Have you at present any intention to join them ? A.—Is that relevant.

COURT.—It is proper enough.

WITNESS.—I can't say that I entertain any such intention at present.

Q.—Why do you hesitate about answering ?

6230

A.—Because, I thought you wanted to implicate me as being one of them.

Q.—Are you ashamed as being implicated as one of them ?

A.—No, I believe they are the one true Society of Friends in Canada ; I have always believed it.

Q.—A man coming here pretending to be one of the plaintiffs body and really believing the defendants are the true body ?

A.—My conduct has ever been open before my Friends, and I have never been afraid to say what it was.

Q.—Wouldn't it have been a little more candid to have said you were in sympathy with the defendants ? A.—Not at all.

Q.—Can you tell me any considerable portion of what you heard anyone of these people preach ? 6240

A.—I think I can.

Q.—You have been taking notes—have you ? A.—I have been taking notes.

Q.—Let me see what your notes are ? Witness produces notebook.

A.—I give you some with regard to James Barker, minister, acknowledged by the plaintiffs now ; he is present here.

Q.—He is superintendent of the college ? A.—At present.

Q.—Were you superintendent before him ? A.—Never, simply an underling teacher.

Q.—We have not heard of Mr. Barker teaching any false theology before ?

A.—You have not attended Friends Meetings or you would have heard a good deal of it.

Q.—Not being a judge of theology ? A.—That is judging me.

6250

Q.—What was it you heard Mr. Barker say ?

A.—I heard him say in Pickering meeting on the 28th of the 8th month, August in the year '81, that Christ was the Lamb slain before the foundation of the world.

Q.—And I suppose you have seen that in Scripture haven't you. A.—Never.

Q.—Are you quite sure you have copied the word exactly right ?

A.—I copied them down in my notebook at the time, and if they are not correct, it is in want of putting down correct ; the same as this gentleman now, referring to the official stenographer.

Q.—Do you write shorthand ? A.—No.

Q.—Did you copy it while he was still speaking ?

A.—No, I copied it immediately after the meeting.

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Q.—You didn't want to be seen copying ?

A.—We don't do those things in meeting, we would count it irreverent.

Q.—Immediately afterwards you went out and copied it ? A.—Yes.

Q.—What did you copy ?

A.—I took the substance of his discourse and how he went through it ; his argument was that before it entered into the mind of God to create this world, He had fore-ordained that Christ should be the Lamb slain from the foundation, and that he should suffer on the Cross and die for the sinners of the world.

Q.—I think I have seen that in the New Testament ? A.—He thought so, too.

Q.—What more ?

6270

A.—He led on from that into the doctrine of what is called Calvinism doctrine, that is pre-ordination and pre-destination.

Q.—What did he say about that, because it is very important to have the very words ?

A.—I will tell you what he did say : he then went on to what he called the election of grace, that some men were elected and some were to be reprobated.

Q.—Will you affirm now that these are his very words ?

A.—These words are here, what he said, that He was the Lamb slain before the foundation of the world, and therefore the fore-ordination of all things before creation as they are—those are his very words.

Q.—You have been correcting, I see, a little bit—referring to the witness' notes produced ?

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A.—No, I have not.

Q.—What is this ? A.—It is simply a reference to Barclay.

Q.—You were getting up the authorities to confute him ?

A.—No, the very same doctrine that he teaches, Barclay calls horrible and blasphemous doctrine.

Q.—You were looking to see whether Barclay had said so ? A.—Yes I did.

Q.—You were a little doubtful whether it was unsound or not until you saw Barclay ?

A.—Not the least doubtful, but I saw it in written parts in Barclay, acknowledged by Friends.

Q.—Give it word for word, the Lamb slain before the foundation of the world, therefore the fore-ordination of all things before creation as they are—what next, I want the note that you have got there, to see what the note is ?

6290

A.—Yes, he went on to say faith is founded on the word, and the word on the Bible.

Q.—I want it very particular, it is not faith, is founded, it is is faith founded?

A.—Faith is founded on the Word and the Bible, those are the very words ; and he used the terms, this is only a minor matter, "St. Matthew," which we believe is Romanism, applying the word "Saint" to any Christian, any more to one than another.

Q.—And you think that a grave error in theology ? A.—No a minor error.

Q.—I want to finish this precious note ; "the Bible School calls the Sabbath an ordinance of God ?"

A.—I expostulated with the same gentleman the first opportunity I got, in company with an elder of Toronto Meeting, and I there told him that the text was that Christ was the Lamb, slain, not before, but from the foundation of the world, and so far from holding out the view that he took of it, never did any such thing, because by so doing it would make that God fore-ordained that sin should enter into this world of which he was the sacrifice.

6300

Q.—Then you attach great importance to his saying, which may have been a mere lapsus for all

you know, that it was before the foundation of the world, and not from the foundation of the world ?

A.—Believing the doctrine that he believed on it foreordination ; I counted it a great error.

Q.—That is the exact distinction you make in that way ? A.—Yes.

Q.—That you count a grave error in theology ? A.—I do.

Q.—It is only because of using the word “ before ” instead of the word “ from,” you give an argument upon which to build what you thought foreordination ?

A.—I would be very sorry to quibble upon words, but when people act wilfully and mutilate, then 6310 it becomes important.

Q.—You think he was acting wilfully ? A.—He was.

Q.—You mean he was acting in bad faith ? A.—In bad faith.

Q.—Don't you think you are a little uncharitable for a Quaker ? A.—No, I think not.

Q.—You impute bad faith to the principal of your college ?

A.—I do, and I have been confirmed in my opinion.

Q.—How have you been confirmed ?

A.—Because, though I had expostulated with the man before that, and when I showed him that the Bible didn't say so, well, he says, it is the truth of God any way, and I says supposing you hold it so, the Society of Friends will not hold it so, and you have no right to mutilate the unity of Friends by 6320 teaching such doctrine, when it does not belong to us, and if I would believe as the Roman Catholics do, they would have the right to come into our meetings and proclaim the doctrine of Romanism.

Q.—Now, did you make any charge against him before the Society ?

A.—Our meeting took the charge of unsoundness against him, and represented it to his own Monthly Meeting, and they threw it under the table.

Q.—Then there was a charge made against him of unsoundness ? A.—There was.

Q.—And the Monthly Meeting held it was not proved ?

A.—His Special Monthly Meeting at Norwich, which was separated at the time from those who were sound Friends.

Q.—But they held it was not proved ?

6330

A.—They didn't hold any such thing or ever designed to reply that to our Quarterly Meeting.

Q.—They never took any notice of that ? A.—I never heard that they did take any notice of it.

COURT.—Who made the representation ?

A.—The quarterly meeting of Yonge street, in which no separation as a body has yet taken place—made the representation to this Monthly Meeting at Norwich.

Q.—Why didn't you follow it up by seeing whether or not?

A.—It was none of our duty to do it; the monthly meeting to them belongs the special purpose of the oversight of each and every member.

Q.—And surely, if this man was at the college, a place of influence, you would have considered it your duty if you thought he was teaching unsound doctrine to push the matter until you got it before the Yearly Meeting?

A.—Friends for the sake of peace have long ago given up the management of that college entirely; to those forward persons amongst us, who have been pushing these doctrines.

Q.—I thought the Quakers didn't use strong language? A.—Is that strong?

Q.—Yes? A.—I think it is only the truth.

Q.—It is rather a term of reproach? A.—I didn't know it was a reproach.

Q.—Forward people? A.—We call them forward people when they are so.

Q.—Progressive people? A.—No retrogressive.

Q.—Going back to first principles?

A.—Not going back—going back into the world, into those very things which the Society of Friends was brought out of.

Q.—Is that the only instance you can give us of the false teaching of Mr. Barclay?

A.—Not at all; give me my note-book and I will tell you others.

Q.—You have been on his track? A.—Not at all, he just came in my way.

Q.—From the Quarterly you went away and made a note of it, well now give me some other instances? A.—Friends have ever been careful—

Q.—I want another instance, I don't want a speech, when did it occur?

A.—10th of the 9th month of the year '80.

Q.—Where? A.—In Pickering.

Q.—Where in Pickering? A.—At the regularly appointed Meeting House.

Q.—On what occasion? A.—An ordinary occasion.

Q.—A Worship Meeting? A.—A Worship Meeting.

Q.—What note have you got of his speaking there? Give me the words—the heading of the sermon

"Christ's temptation," the argument was that Christ used the word of God to rebut Satan—isn't that true ?

A.—I was just going to give an explanatory note with regard to that.

Q.—Do you believe it is true that Christ did use the New Testament to rebut Satan ?

A.—I don't say that he said those words.

Q.—Give me the note again ?

A.—Christ used the Word of God to rebut Satan.

6370

COURT.—If he didn't say that, how did you put that down ; is that the argument ?

A.—No, I was going to give you the argument.

Q.—Give me the whole note ?

A.—Christ used the Word of God to rebut Satan.

Q.—Is that the whole ? A.—That is the whole I have got there.

Q.—That is true, I suppose ? A.—It is true that he said so.

Q.—Is that all that he said ? A.—No, by no means all.

Q.—Give me all that he said ?

A.—Then he says "we will call the Scriptures the Word, or the Word of God, just as you like it ;" you see nothing wrong in that, you people here.

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Q.—Anything more on that occasion ?

A.—The argument then was that the spirits were to be tried by the Scriptures.

Q.—Anything more ?

A.—And he used the argument, here are his very words, "that God helps those that help themselves, therefore they that use the Scriptures learn of God," that is the Plymouth Brethren doctrine.

Q.—Is there anything wrong in that ? A.—There is something in that.

Q.—What is wrong ? A.—A great deal.

Q.—Tell me what is wrong ? A.—I can tell you a good many things that are wrong.

Q.—Take the first sentence ? A.—I don't expect you lawyers to] these things.

Q.—Take the first proposition that you have got there that

6390

Q.—What then ?

A.—That Christ used the words of God to rebut Satan—the word of God to rebut Satan.

Q.—Let me see whether it is word or words?

A.—It is word, he said to rebut Satan.

Q.—“That Christ used the word of God to rebut him,” that is what he said—is it?

A.—The word of God to rebut Satan.

Q.—That is not what you have got there?

A.—I changed Satan to “him”; the Apostles and Evangelists often do so to make a transposition of the word.

Q.—And as a follower of the Evangelists and Apostles you transposed the word?

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A.—It is not transposition, it is putting the pronoun instead of the noun.

Q.—What was there wrong about that?

A.—Friends ever believing that Christ is the one true and eternal word, and believing with the Apostle Paul that we should use sound words that can't be condemned—believe that we should always use that term; I don't know to whom it is applied, that is to Christ himself as the word, and as the Scriptures, we believe, were spoken by holy men of old, given forth by the Holy Ghost, and therefore, received as from the inspiration of God and having all due authority with us, we never apply that term to them as to the word of God, and therefore he knew very well himself, that he was trespassing upon one of the time-honored truths of the Society of Friends when he so uttered it.

COURT.—That is, that the Scriptures are not known among Friends as the word of God?

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A.—Not as the word.

Q.—You are sure about that?

A.—I am sure about that; that it has never been a practice of the Society of Friends to term the Holy Scriptures the word of God.

Q.—And you think that is rank hearsay?

A.—I don't think it rank hearsay, but I think that one in the station of a minister amongst the Society of Friends should be aware of that, and should be tender of the conscience of our older Friends.

Q.—I am going to ask you the question—will you say that the Scriptures are not the word of God upon your affirmation?

A.—The Scriptures say Christ is the word of God.

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Q.—Will you upon your affirmation say, and I don't care what your answer is going to be, that the Scriptures are not the word of God?

A.—If the Scripture is the word of God, the word of God is God, therefore the Scriptures are God.

Q.—You may be a first rate casuist, and I think you are, but I want an answer to my question ; will you upon your affirmation say that the Scriptures are not the word of God ?

A.—I will say what the Scriptures say of themselves.

Q.—Yes or no—it admits of an easy answer ?

A.—I am not going to frame your theological terms for your use and satisfaction ; it is not for me, or that of the court.

Q.—I want the truth of this thing, and I think it necessary that you should answer that ?

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A.—We find no fault with other people in using what terms they like.

Q.—Will you on your affirmation say you don't believe the Scriptures are the word of God ?

A.—I am not going to implicate myself with any such question, no more than Christ himself refused to answer with regard to the baptism of John, when he asked them the baptism of John.

Q.—Upon your affirmation will you say that it is not true that the Scriptures are the Word of God ?

A.—I acknowledge the Scriptures were the Word of God ; isn't that sufficient for you.

Q.—The words of God ? A.—The words of God ?

Q.—Then it is a mere inaccuracy in grammar that you are quibbling about, word instead of words ?

A.—Yes, it is an inaccuracy of the proper word to the proper thing.

Q.—That is what you think is wrong ? A.—That is what I think is wrong.

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Q.—Then the whole wrong in Barclay's theology is in using word, instead of words ?

A.—I didn't make it a very great point with him, but I think it was wrong as a minister of the Society of Friends to force itself so openly.

Q.—Now, what is the next thing you have there ?

A.—Another time on the 17th of the 10th month, 17th October of the same year, he was speaking of the foundation of Christians, and he used that text of the Apostle Paul, and he said the fire should prove every man's work.

Q.—Give me his words ?

A.—I couldn't give his express words with regard to that.

Q.—I think it very necessary, when we have got a gentleman like you to judge of them, to get the very words ? A.—So it may be.

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Q.—Can you give me any more ?

A.—I can give you what his argument was.

Q.—I want the words so far as you can give them ?

A.—We are expected to be intelligent men, and to know the g'ist of an argument without knowing the exact words.

Q.—But you can't give me the exact words, although you went out and wrote them down ?

A.—I don't say that I wrote all these down ; I wrote down at the time, but I didn't write the exact words down.

Q.—Well then you certainly ought to be able to give us the exact words ?

6460

A.—A man is still saved, but his works are still destroyed by fire, that is if he did wickedness after he was converted ; that is the Calvinistic doctrine again cropping up.

Q.—You were sending untruth for Calvinism ?

A.—Without holiness no man shall see the Lord ; that has been a standing principle among Friends.

Q.—Then you believe that a man who was actuated by the Spirit, who may have been actuated by the Spirit, never can do any evil work after that ?

A.—W never said any such thing, but they do.

Q.—This text is, though man himself is going to be saved, his works will be burnt up by fire ?

A.—That was his argument.

Q.—Isn't that perfectly inconsistent ; can a member be saved but for the works he may do in a 6470 moment of weakness will be destroyed ?

A.—We never did say that a Christian, because a Christian never sins, but we do say we have a progressive work in which we have become children of God and have to strive after holiness.

Q.—I understand you to say that he said that a man himself might be saved, and yet the works which he had done would be burnt up by fire ?

A.—Yes, that he could never fall from that place.

Q.—I don't see that that necessarily implies that ?

A.—I do ; if I was a converted man, and then afterwards should fall and commit murder, and that sin of murder should be destroyed by fire, and I should be still saved, when the Scriptures say that no murderer hath eternal life ; then do you think that doctrine will hold good.

6480

Q.—You think a murderer never can be saved ?

A.—Through true repentance and faith he can.

Q.—Now give me another instance you have got there ; I want to see how far it is worth taking up

the time of the court in examining you ?

A.—The fact of the matter was that I heard so many and so various ones I desisted entirely from ever minding what they did say, for it was one continual roll of contradiction to the doctrine of Friends.

Q.—Where did you learn so much about the doctrines of Friends; how long have you been a Friend ?

A.—I have been a Friend from my birth and through conviction and true conversion to God.

Q.—And what has been your calling in life ?

6490

A.—I have been at various things.

Q.—School master principally ? A.—I have been in business; I have been a teacher.

Q.—And how long of the time have you been in business ?

A.—I was three years in business in the city of Manchester in England.

Q.—Since you came to this country you have been teaching ?

A.—Principally engaged in teaching since I came to this country.

Q.—And you consider yourself learned in theology ?

A.—Not at all, but I believe a babe can handle those things.

Q.—That a babe is just as good a judge of soundness ?

A.—I don't say that he is, but I believe the babe that can see, can see things that are black and 6500 dark and wrong.

Q.—And these things were so patent in these gentlemen that anybody could have seen them ?

A.—They were, and a great many did, yet the man boasted; he said he had a man, he said he had been preaching this Calvinistic doctrine all the time in Pickering, and we were so blind we couldn't see it.

Q.—Did you hear him say that ? A.—I didn't myself.

Q.—How do you dare to swear what you didn't hear ? A.—I don't swear at all.

Q.—Or affirm it ? A.—Have we to only say what we heard ?

Q.—Yes ? A.—I heard it from the witness of others; I have often heard such things given in court.

Q.—And that vexed your righteous soul—did it ?

A.—Not a bit; it was just like his other empty vain boastings.

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Q.—You mean to tell us now, that you repeat, that you have no feeling against Mr. Barker, after all this demonstration in the witness box ?

A.—If you mean by feeling, that I have any aversion to the doctrine, I certainly have.

Q.—I mean to the man; do you mean to tell me you have no feeling against the man after that?

A.—I would not hurt a hair in that man's head.

Q.—But that you have a strong feeling against him I think, is as evident as anything I have seen at this trial?

A.—But I love my enemies.

ANNIE CRAWFORD, sworn for Defendants, testified as follows :

By MR. ARNOLDI—

6520

Q.—You are a member of the Society of Friends? A.—I am.

Q.—How long have you been a member of the Society? A.—A birthright member.

Q.—To what Monthly Meeting do you belong? A.—Cold Creek.

Q.—You are a daughter of Alfred Crawford? A.—Yes.

Q.—How long have you belonged to that meeting? A.—A little over two years.

Q.—Are you the holder of any office in the church? A.—Not at present.

Q.—Not a minister or anything of that kind? A.—No.

Q.—Have you made a study of the tenets of the Society?

A.—No more than to understand the principles.

Q.—Do you understand the doctrines and principles of the Society?

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A.—As I contend, I wished that the Society that I should belong to should not—I should not only be a birthright and take it from being the religion of my parents, but know whether it was in accordance with the Scriptures or not?

Q.—You have been a regular attendant at the meetings? A.—I have.

Q.—For a number of years?

A.—Well, for the last, about 5 years; we weren't brought up near any meeting.

Q.—What meeting were you in attendance at before you went to Cold Creek?

A.—Westlake Monthly Meeting.

Q.—Have you heard any new doctrines preached at Westlake different from those which you had understood to be the doctrines of the Society at any time?

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A.—Not so clearly at Westlake as at some other places.

Q.—Where else, at what place did you hear those doctrines preached ?

A.—At Cold Creek.

Q.—Who by ? A.—Wm. Barker.

Q.—Is that the gentleman the last witness was talking about ? A.—No.

Q.—Who is the Wm. Barker, is he a minister ? A.—A minister.

Q.—Where is he accredited from ? A.—From Norwich, I think.

Q.—Cold Creek Monthly Meeting, that you belong to, is that a meeting which belongs to the Plaintiffs' party ?

A.—It belongs to the Defendants now ; I belong to the portion that hold to the Defendants now, 6550 that portion of the meeting.

Q.—When did you hear Wm. Barker ?

A.—It was about the time, before we moved there ; I have heard him since, but the time I have reference to is something over two years ago.

Q.—What was the particular error that you heard heard him preach ?

A.—That the lukewarm might be saved, only that in Heaven their capacity of enjoyment would not be as large as others ; their cups would be full and run over, but not so large ; I wouldn't say that those were the exact words, but that the cup was full and not so large.

Q.—This was while the meeting was in accord with the plaintiffs ?

A.—I believe at this time I was a member of that portion of the meeting of the Plaintiffs. 6560

Q.—You were at that time a member of the Plaintiffs' meeting ?

A.—Yes, and this was while I resided at Westlake and was visiting meetings at Cold Creek ; I attended a meeting there where he held a meeting.

Q.—Was the Cold Creek Meeting one of the plaintiffs meetings at that time ? A.—Yes.

Q.—It is only recently ?

A.—Only recently, when you might say there has been an official division:

Q.—Did you hear him preach any other error ?

A.—I could'nt tell you, as near as I am able to understand the doctrines, it would be the final perseverance of the saints ; the whole tenor of his preaching was the final perseverance of the saints as near as I can understand in connection with that subject. 6570

Q.—These two doctrines you have mentioned are contrary to the doctrines of the Friends ?

A.—They are, as far as I understand the doctrines of the Society of Friends, they are Arminian and Calvinistic.

Q.—Have you been in attendance at the Yearly Meetings of the plaintiffs at any time?

A.—I have years ago; I think four years ago was the last meeting I attended; I have not been since the new discipline was adopted; I have not been since that time.

By MR. BETHUNE—

Q.—Do you know if there is anything in the writings which says that there may not be different degrees of glory hereafter?

A.—There may be different degrees of glory from anything that I have ever understood to the contrary; I believe according to the Scriptures in that as one star differs from another. 6580

Q.—So that you mean to say that even if that were said it would be against the theology of the Friends?

A.—In different capacity; it was not the part that would be contrary.

Q.—What was the part? A.—The lukewarm being saved.

Q.—Can you give me the exact language of Mr. Barker in that connection about the lukewarm being saved.

A.—The lukewarm or those that were not so faithful or diligent; I wouldn't give the exact words, but have their cup full and run over; but their cup would be so large.

Q.—You remember the words used, he used the words something, about their cup running over, but not so large? 6590

A.—Their cup not so large, their capacity of enjoyment—it was a comparison.

Q.—You remember that his simile was the different sized cups then?

A.—Yes; the lukewarm, of course, it was spoken to the church of Laodicea, it was with regard to that church, of course, that in Revelations. it is spoken of as being lukewarm.

Q.—It was founded upon that—was it? A.—Yes.

Q.—What was he preaching about at the time?

A.—Addressing Christians, if I remember aright.

Q.—What was the subject? A.—I couldn't tell what the text was.

Q.—He was warning them against lukewarmness, was he not? A.—No, I don't think he was. 6600

Q.—Enjoining them to greater fervour? A.—To fervour and labours of righteousness.

Q.—Are you quite sure that you understood him aright when you say that you thought he

was saying that the lukewarm could be saved ?

A.—I heard him speaking the same way twice with regard to that subject—at different times.

Q.—Can you give me any more definite or clear idea of what he did say, than you have ?

A.—I couldn't give you any more than what he said in those sermons, though we have conferred together on the subject at another time, on his doctrines and views, doctrinal views.

Q.—But can you give me any more definite idea from these conferences, even as to his doctrine in that respect ?

A.—Well, we never conferred together about them but once, and I at that time remember his saying 6610 bringing up a passage with regard to doctrine in a pamphlet that he left with a member in our meeting—a member of our meeting, with regard to the sheep wandering from the shepherd, and he said that if the sheep could wander away, that is with regard to being finally lost he was talking, that it would prove that the sheep were stronger than the shepherd.

Q.—That you thought was erroneous ?

A.—Contrary to the Friends' principles, the way Friends understand the Scriptures.

Q.—That was in a private conversation with you ?

A.—There were others present, of course, in a Friend's house.

Q.—You were discussing the particular subject ? A.—Yes.

Q.—That was the tendency of it ?

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A.—We didn't name it under that, but that was the doctrine.

Q.—You are a daughter of Alfred Crawford, called a while ago ? A.—Yes.

Q.—And I suppose that you know that he entertains very strong views about the doctrines of the final perseverance of the saints ?

A.—I think no stronger than any member that understands our doctrines holds or should hold.

Q.—And you thought Wm. Barker was unsound on that question ?

A.—Unsound according to the Friends' principles.

Q.—Now what did he say about that doctrine ?

A.—Well, he didn't name it under that doctrine.

Q.—Can you give me his language ?

6636

A.—Well, with regard to the sheep and the shepherd, he asked me whether I believed in the finished work of Christ.

Q.—What did you say to that ?

A.—I told him I believed Christ finished the work of atonement on the Cross.

Q.—What did he say then ? A.—I can't remember what his reply was.

Q.—You would not pretend that you could give me even a fair synopsis of the discussion between you about that, would you ?

A.—No, I couldn't give the last words—all his words.

Q.—I don't suppose you paid any particular attention to it at the time, did you ?

A.—I did, because of the pamphlet that was left teaching it; we were talking that over. 6640

Q.—You didn't pay attention with a view of remembering it and tell us at this time ?

A.—No, I had no expectation of trial.

Q.—Or giving evidence even before religious bodies about it ?

A.—I had only spoken to different ones about it ; the elders with regard to this conversation.

Q.—But you never went any further ?

A.—Not further than to speak to the elders about it.

Q.—That is about two years ago, is it ? A.—Yes, somewhere about that.

MATILDA BRANSCOMBE—Sworn for defendants ; testified as follows :—

By MR. MACLENNAN—

Q.—Do you belong to the Society of Friends ? A.—I do. 6650

Q.—How long have you belonged to the Society ? A.—Twenty-five years.

Q.—What Monthly Meeting did you belong to ? A.—Bloomfield Westlake Monthly Meeting.

Q.—And where have you worshipped during all that time ? A.—Bloomfield.

Q.—In the building in question ? A.—Yes.

Q.—What position do you occupy in the Society at present ?

A.—I am a minister, acknowledged to be.

Q.—How long since you have been acknowledged as a minister ?

A.—About a year and a half ; may be a little longer, but then not long.

Q.—That is since the Yearly Meeting at which the discipline was up ? A.—Yes.

Q.—You are a minister of the defendants body ? A.—Yes. 6660

Q.—You weren't a minister previous to the separation; A.—No.

Q.—Did you occupy any office previous to that before the separation

A.—I have been overseer, and held some small offices sometimes.

Q.—Was that the same as an elder? A.—No.

Q.—Were you an elder? A.—No.

Q.—Which is regarded as the higher; the minister or the elder? A.—The minister.

Q.—Were you at any time clerk of any meeting?

A.—I was assistant clerk of the monthly meeting.

Q.—When was that? A.—Two years ago.

Q.—That also was since separation? A.—Yes.

Q.—You have heard the changes in practice which have been mentioned by the other witnesses?

A.—Yes.

Q.—Have you a knowledge of these changed being introduced?

A.—Well not much of them personally, as I didn't attend those meetings appointed by those ministers, not in accordance with our meetings, except in one or two instances.

Q.—That is, the meetings of the plaintiffs? A.—Those revival meetings as they are called.

COURT.—The meetings of the plaintiffs body? A.—Yes.

Q.—Why did you abstain from attending them? A.—I didn't consider them Friends meetings.

Q.—Were they not in accordance with the ancient practices, the old practice, as far as you knew it?

A.—Not as far as I knew, they were not.

Q.—Have you witnessed in the meeting any new practices—that were new—any practices that were new?

A.—I have in our regular meetings.

Q.—Revival meetings were called at other times than regular times?

A.—Yes, than the regular meetings.

Q.—And these you didn't go to, because you didn't approve of them? A.—No.

Q.—How were these revival meetings intimated among Friends; how were they made known that they were going to take place?

A.—They were given out at our regular meeting days

Q.—By whom ?

A.—Well generally by some one of the body, that these strangers, I suppose spoke to about it.

Q.—And persons who approved, I suppose of the holding of these meetings ? A.—Yes.

Q.—But you disapproved of them and didn't attend them ?

A.—No, I didn't attend them.

Q.—Now, I want you to speak of what you witnessed at the regular meeting of Friends ?

A.—Well, reading Scripture by those not ministers among us and holding no positions, but private members—reading Scriptures.

Q.—Reading them where ?

A.—In the public meetings ; and the reading of Scriptures and the singing in our business meetings.

Q.—What kind of singing, individual singing ?

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A.—Singing meetings, singing hymns ; I heard one or two at one public meeting ; I heard five or six not at Bloomfield.

Q.—Singing together ? A.—Singing together.

Q.—What is called congregational singing ? A.—Yes, what it amounts to.

MR. BETHUNE.—The whole congregation ? A.—Five or six.

MR. MACLENNAN continues—

Q.—Was there any other practice ?

A.—Well, holding meetings in joint sessions, contrary to the order of Friends so far as I know.

Q.—Anything else ?

A.—Well, I have seen some very large departures from the ancient practice in appointing committees 6710—in the ancient practice.

Q.—In appointing committees for what purpose ?

A.—For attending Yearly Meetings and filling important offices.

Q.—Where was this done ? A.—At Bloomfield.

Q.—In the Monthly Meeting ? A.—In the Quarterly Meeting.

Q.—Just mention what that is that you observed ?

A.—At one Quarterly Meeting they were to appoint representatives to attend the Yearly Meeting,

an we always considered that a very weighty matter and paid due consideration and care that the proper ones were appointed to attend the Yearly Meeting as representatives, and in this meeting I mentioned there was six names named; all were named by the plaintiffs before the clerk could record 6720 one name; very disorderly as we considered it.

Q.—Six names were proposed?

A.—Yes, which would fill up the amount, as many as should or about so—as should go to the Yearly Meeting.

Q.—And what was the result of that?

A.—The clerk said she was unable to take down the names, and it was spoken to the improper way it was done, but the plaintiffs insisted on the names going down that was mentioned, and the clerk recorded them as they called them over again.

Q.—And these were chosen? A.—So it appears, as they were all on one side.

Q.—What side was the clerk on? A.—The clerk was on the defendant's side. 6730

Q.—And he recorded these names as persons chosen, did he? A.—Yes.

Q.—He was to choose those who are first named?

A.—Yes, it should be, but that should be done in a proper and in an orderly manner.

Q.—Who was the clerk? A.—Jane Cronk.

Q.—What side do you say she was on? A.—She is on the defendant's side.

Q.—Is there anything else you recollect, anything in relation to prayer?

A.—Well, sitting during prayer instead of standing, as was always the practice formerly and is now among us.

Q.—Was there anything else you observed with regard to the conduct of prayer, repeating prayer?

A.—I couldn't say anything of that; I don't know anything of that; I have heard of that being 6740 done, but I don't personally know anything about it; I have no personal knowledge of it.

Q.—You never witnessed that done in regular meeting? A.—No.

Q.—Was the mourner's bench used in regular meeting?

A.—Not in regular meeting; I attended one meeting at Wellington where it was done.

Q.—Regular meeting? A.—Not a regular meeting, an appointed meeting.

Q.—What is called a revival meeting? A.—I suppose so.

Q.—So that these meetings so given out were called—?

A.—They were called revival meetings.

Q.—Now, were you at the meeting in '80, when the new discipline was up? A.—I was.

Q.—Had you heard of that new discipline going to be brought up before you went there?

6750

A.—Well I heard a little from individuals that there was something of the kind contemplated, but not—but not through the meeting.

Q.—Did you hear of the revision being intended?

A.—I heard of a committee being appointed for that purpose.

Q.—To revise? A.—If necessary.

Q.—It was appointed to consider rather? A.—Whether it was necessary or not.

Q.—And did you hear before you went to the meeting that it was intended to bring up the new discipline?

A.—I heard that by private individuals.

Q.—You were so told privately? A.—Yes.

6760

Q.—Was there any intimation sent to your regular meetings on that subject before the Yearly Meeting?

A.—Not any, at any meetings I attended.

Q.—Had you ever seen the New York—the new discipline before?

A.—I didn't. I never saw it before.

Q.—Were you opposed to the new discipline in the Yearly Meeting or in favor of it?

A.—I was opposed to it.

Q.—Did you press your opposition? A.—I did.

Q.—Did you ever withdraw your opposition? A.—No.

Q.—Did others express opposition to it? A.—They did.

6770

Q.—Could you tell us what proportion, in your opinion, of those who were present were opposed to it?

A.—I should think very nearly half and half; if I should give my real opinion, I think they were about equal.

Q.—You were in joint session?

A.—We were with open shutters; we don't call it joint session; we might be considered together.

Q.—Are you speaking now of the women's meeting or the men's meeting? A.—Both together.

Q.—As I understand you, you had had no opportunity of considering it? A.—None.

Q.—Now, according to our experience and knowledge was it a proper think for the clerk to declare that the meeting was not in unity on the new discipline? 6780

A.—No, it was not proper.

Q.—What he wrote down, was that it was the judgment of the meeting—do you think that was a proper minute to make?

A.—No, I don't.

Q.—What he wrote down, was that it was the judgment of the meeting that it be adopted—in your opinion that was not a proper minute to make? A.—No.

Q.—It was not the result of a discussion?

A.—I think under the circumstances it should have been laid over for further consideration.

Q.—Now, it came down to the womens' quarterly after that? A.—Yes.

Q.—And were you present? A.—Yes. 6790

Q.—Were you opposed to it there? A.—I was.

Q.—And the womens' meeting in fact rejected it? A.—Yes, we rejected it.

Q.—Since when have these changes, that you speak of in practice been introduced into Westlake?

A.—Well, about the time '75 or '76 or thereabouts; I couldn't say exactly.

Q.—And were you opposed to these new practices? A.—I was.

Q.—And were there others that opposed them besides yourself?

A.—There were others who opposed them and some that favored them.

Q.—Those who met together separately at the Preparative Meeting on a certain occasion, what views did they take of these new practices; were you present at the meeting, at the first separate meeting? A.—Yes. 6800

Q.—And were one of those that held that separate meeting? A.—Yes.

Q.—And those of you that met there, what views had you of the subject of these new practices?

A.—We considered that they were contrary to the old order of the Society, and in order to keep up the old order and practices of the Society, we should have to hold our meetings by ourselves.

Q.—And you have kept up your meetings ever since? A.—Yes, ever since.

Q.—And held your Yearly Meeting on the following year in Pickering? A.—Yes.

Q.—Were you there? A.—Yes.

Q.—And you continued to hold your meetings in your Meeting House in question until you were shut out by the plaintiffs ? A.—Yes.

Q.—Can you tell us some of the new doctrines that were introduced in those years ?

6810

A.—Yes, I think I can.

Q.—Be good enough to state some of them ?

A.—I heard Charles G. Bowerman teach that the spirit of the Lord didn't work in the hearts of the unconverted, and I heard him teach, only two or three weeks ago, I think about three perhaps, that the teaching was this, that all that we had to do was to ask the Lord to wash us and we would be clean.

Q.—Where did you hear him say that ? A.—In Bloomfield meeting.

Q.—That is, in this Meeting House ? A.—Yes.

Q.—At a meeting held by the plaintiffs ?

A.—One of the plaintiffs' meetings; I heard him teach that we didn't have to wait ten minutes, nor five, nor one, for the Spirit to direct us to teach, and went to teaching accordingly.

6820

Q.—That was in the regular meeting. A.—In the regular meeting.

Q.—Of the plaintiffs ? A.—I think that was before the secession that one instance happened.

Q.—What is Bowerman ? A.—He is an elder,

Q.—In the plaintiffs' body ? A.—Yes, I suppose he was when he left us.

Q.—It was in preaching you heard him make this statement, three weeks ago, was it ?

A.—Yes.

Q.—Do you know if he is a minister of theirs now ? A.—Not that I know of.

Q.—Well, Eliza Brewer ?

A.—I heard Eliza Brewer preach, perhaps three years ago, that the servant of the Lord or the minister was placed in the same position as a hired servant was to the husbandman, that they were given the keys of his storehouse and could feed the flock when they saw fit.

Q.—Where did they teach that ? A.—In Bloomfield Meeting House.

Q.—When was that ? A.—It is about three years ago ; I couldn't give the date,

Q.—What position did she hold ? A.—A minister.

Q.—Is she still in their the plaintiffs' body ? A.—Yes.

Q.—She is a minister ?

A.—Yes, and David Uptograff stated in the morning meeting at Yearly Meeting— perhaps it might have been five, may be six yeart ago, I couldn't say exactly the year that he had heard people get up in meeting and say that they felt the Lord had blessed them so and so, but he said that they only believed the Lord had blessed them and rejoiced in that belief, and there was no feeling about it; he 6840 said that he had heard people get up in meeting and say that the Lord had blessed them so and so, and they felt that he had, and he said they only believed that he had, and there was no feeling about it, which does away with the witness of Christ in the heart of the obedient; it does away with the witness, the feeling that God has blessed them; we believe as a people, that if the Lord has poured us out a special blessing that there is the witness in our hearts that he has done so, and this does away with that witness, and leaves it only that we believed it.

Q.—He meant then to teach, as you understood him, that there was no witness of the Holy Spirit in the heart of man?

A.—Nothing only belief and rejoice in that belief; instead of having the witness of the spirit to co-operate with our spirits that we are the children of God. 6850

Q.—And that was not in the old doctrine? A.—No.

Q.—What was in the Yearly Meeting? A.—In the Yearly Meeting in the Morning Meeting.

Q.—I believe at the Yearly Meetings you have a morning meeting for worship?

A.—We have of late years; we didn't use to.

Q.—The other meetings are all worship, I believe—are they not the first hour?

A.—Well no, in the Yearly Meeting they are not.

Q.—Except the Yearly Meeting? A.—Yes.

Q.—There is no distinction between the worship meeting and the first day and 5th day meeting—is there? A.—No.

Q.—Now, who is Uptograff? 6860

A.—He is a man from the other side; I couldn't state what meeting he belongs to—to some body of the Friends.

Q.—Was he received in acceptance at Westlake?

A.—He was not at Westlake that I remember of; I don't think he was; this was at the Yearly Meeting.

Q.—Do you know how he came to be at the Yearly Meeting?

A.—I suppose he had a minute, but I couldn't say.

Q.—Any other doctrines which you have heard preached at Westlake that were new and different?

A.—I have heard Charles Gideon Bowerman say, that we only had to believe to be saved.

Q.—In meeting? A.—Yes.

6870

Q.—And what is his position in the church? A.—The same person as before.

Q.—And what is the Friends belief upon that point?

A.—We believe that there should be conviction of sin and a thorough repentance and a turning away from our evil doings and way before we can be saved—mere belief does not accomplish the work; perhaps, I might state it more plainly, if it is required; I believe according to the Scripture, which says when there was no eye to pity nor no arm to save then God's arm brought salvation, and in order that we sinners may be saved we are to come to a state and condition under the influence of the Holy Spirit, that we see that we are sinners and that we are unable to save ourselves, and that there is no other way for us only to apply on the great physician of all; I believe that man can't of himself effectually save without a Saviour I die, or without a Redeemer I perish forever, without coming to this low condition, that he sees himself as he is, a sinner in the sight of God, without a Saviour. 6880

Q.—And his teaching was that belief was all that was necessary? A.—Yes.

Q.—Have you heard anything on the subject of conversion that was not in accordance with the old law? A.—Instantaneous conversion.

Q.—Who taught that?

A.—That is the general teaching of nearly all of them; I don't know that I could confine it to one.

Q.—General teaching in the plaintiffs' meeting? A.—General teaching—

COURT.—And that is contrary to the belief of the Friends, is it?

A.—We believe there must be the convincement and amendment of life before conversion, which cannot be done by merely believing; there must be the work of grace in the heart of the sinner. 6890

Q.—Are there any other erroneous doctrines that are generally taught?

A.—Not that I could mention, as I didn't attend those meetings of those strangers.

By MR. CLUTE—

Q.—When was it that you, among others, decided to hold a separate meeting?

A.—It was a few evenings before the meeting was held—I couldn't say whether one or two.

Q.—A few evenings before the Preparative Meeting, 10th February? A.—Yes.

Q.—Where did you meet?

A.—We met at Edward Cronk's, I believe, or Wm. Valentine's—Wm. Valentine's.

Q.—You were at Wm. Valentine's. A.—Yes.

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Q.—Tell us who was present ?

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A.—I am not sure that I could remember them all, but Eliza Varney and Levi Varney and myself and my son, Marian and Win. Valentine, Lydia Margaret Haight, Jane Bonstiel, and Elizabeth Haight, and I think there was more, but I can't name them.

Q.—And there the matter of holding a separate meeting was discussed, was it; did you meet there for that purpose ? A.—We thought the time—

Q.—Did you meet there for that purpose, for the purpose of discussing the question of holding a separate meeting ?

A.—I will have to just speak for myself, I suppose.

Q.—What did you go there for ?

A.—In my own home a concern arose very powerfully in my own mind that it was necessary for us 6910 not to let that present time slip without improving upon it and see what was necessary for us to do, and upon this, without any knowledge of the meeting at all, I went to Bloomfield, and when I got there I found that this meeting was appointed.

Q.—And you were invited, were you ?

A.—I had no invitation, only I was informed that that meeting was appointed.

Q.—And you went ? A.—I went.

Q.—Tell us what took place shortly at that meeting ?

A.—Well, we considered the matter and thought, or something like that, that the time had come for us to make some move in the matter.

Q.—Then did you decide what move you would make ?

6920

A.—Well, I can't state to you whether it was fully decided, but it was talked of anyway that we were to hold our meetings by ourselves.

Q.—So then you went to the Preparative Meeting on the 10th having it understood among you and your Friends that on that day you would apply for leave to hold your meetings separate, is that it ?

A.—No.

Q.—Had you intended to do that ? A.—No.

Q.—Then you hadn't come to any determination before you left ?

A.—We went there with the expectation of holding our meeting by ourselves, but as for any application or anything of that kind with regard to it, we had made no conclusion.

Q.—You went there, however, with the intention of holding your meeting by yourselves ?

6930

A.—Yes.

Q.—At the same hour ? A.—I don't think we had set any hour.

Q.—You hadn't decided on an hour yet ? A.—No.

Q.—As matter of fact you did remain there until the usual preparative meeting was concluded, did you not ?

A.—Yes, we remained there till the preparative meeting was closed.

Q.—And your meeting was held after that was closed ? A.—Yes.

Q.—Well, that was a most unusual thing, was it not ? A.—Yes.

Q.—Did you ever know anything in the history of Friends like that before, to set up a preparative meeting after the preparative meeting was regularly closed ?

6940

A.—Well we had come to a time in the history of our Society that there was a great many things done unusual and never heard of before, and this seemed to be the only mode for us to proceed with the regular and right meeting of the Society of Friends.

Q.—That was your first step that was unusual and out of the ordinary course ? A.—Yes.

COURT.—You held a preparative meeting after the close of the ordinary meeting, of the ordinary preparative ?

A.—After the close of theirs ; we took no part in theirs, and then held ours afterwards under our discipline.

Q.—I wish you to tell me, as nearly as your memory serves, who were present at your meeting—at that first meeting, in what you call your first preparative meeting ?

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A.—I am afraid I would fail very much, but I will do the best I can ; I was there, and my husband and Marian Valentine, and Wm. Valentine, and Levi Varney and Eliza, and I think Amos Bowerman.

Q.—Don't leave out Mr. Jones ?

A.—I was not positive, but I suppose he was there ; it was not long ago, but I have not thought much about it.

Q.—You don't remember any others ?

A.—I think there was others, but I couldn't name them now.

Q.—Now, at that meeting, held in that irregular way, you decided to hold your Monthly Meeting at Bloomfield, did you not ?

A.—We decided to continue our meetings—

6960

Q.—Answer my question ; you decided then to hold your next Monthly Meeting at Bloomfield ?

A.—Yes.

Q.—Was that the regular order ?

A.—Well, only a change of place so as not to come in contact with the others, as they held their meetings at Hillyer.

Q.—Was the time and place, 17th month, Bloomfield, the usual time and place for holding that meeting ? A.—No, it was not.

Q.—So the next place constituting your Monthly Meeting was somewhat irregular, too, wasn't it ?

A.—Yes, we done a good many irregular things.

COURT.—Bloomfield was not the usual place for what meeting ?

6970

A.—For the monthly meeting—not at that time.

Q.—As matter of fact, your monthly meeting is held eight times a year at Bloomfield and four times at Wellington ? A.—Yes.

Q.—And on the occasion in question, it was the time for holding it at Wellington ? A.—Yes.

Q.—There was a meeting held at Wellington and you held yours at Bloomfield instead of Wellington ? A.—Yes.

Q.—Have you got your monthly meeting set up in that way ; how did you decide to set up your quarterly meeting ?

A.—I think, as near as I can remember, that the Monthly Meeting—the Quarterly Meeting, we decided to hold our quarterly meeting—I believe, it was held, as near as I can remember now on the 6980 7th day afternoon, and first day afternoon at the same time that it usually was ; I won't be positive about that, but the first day was, and I believe the 7th day was.

Q.—That would not be at the usual hour—would it ?

A.—Well, at our usual hour then.

Q.—I just want this understood—the usual Westlake Monthly Meeting is made up of two preparative meetings—is it not ? A.—Yes.

Q.—Bloomfield and Wellington ? A.—Yes.

Q.—Now, I ask you whether or not your first monthly meeting held at Bloomfield on the 17th Feb. was made up of two preparatives ? A.—No.

Q.—You only had then one preparative at that first mentioned meeting ? A.—We only had one. 6990

Q.—And you have only got one yet ? Yes, we have two now.

Q.—When did you get the other ?

A.—Sometime past—I could not say how long—a year or two—I wouldn't say exactly.

Q.—At all events, having held your monthly meeting on the day mentioned on which we have the record you sent up representatives to the quarterly meeting. A.—Yes.

Q.—At the time you sent up representatives to the quarterly meeting—your monthly meeting then was made up of one preparative? A.—Yes.

Q.—Were there any other monthly meetings that sent up representatives to your first quarterly meeting? A.—Yes.

Q.—What other monthly meeting? A.—Cold Creek, and I think Kingston. 7000

Q.—But Cold Creek as a body has existed before you went out, and didn't send up representatives—did it?

A.—Well, that meeting had also separated.

Q.—Then it was those that had separated that sent to yours?

A.—Those that continued to think the whole body represented our meeting.

Q.—And also from Kingston—do you say? A.—I think so.

Q.—Are you sure of that? A.—I won't be positive, but I believe so.

Q.—Do you know how many at Cold Creek separated? A.—No, I don't know.

Q.—Do you know how many representatives were sent up? A.—No, I don't know.

Q.—Well now that was a most irregular way to constitute a quarterly meeting—was it not? 7010

A.—Yes, it was not in the regular course, although we had to do that.

Q.—From the circumstances of the case? A.—Yes.

COURT.—What was the irregularity on the quarterly meeting?

A.—The other preparative meeting hadn't separated at that time.

Q.—Was the Quarterly Meeting held at the time appointed, at the usual time; was it held at the regular hour that you had been in the habit of holding your Quarterly Meeting?

A.—No, not at the regular hour.

Q.—Was it made up of representatives from the same Monthly Meeting?

A.—From three of the same Monthly Meetings.

Q.—But from that portion which had separated, was it not? 7020

A.—Yes, and the portion that held their meetings after the old Friends, the old order of Friends, and not after the new.

Q.—The Quarterly Meeting had adopted, as we know, the new discipline? A.—Yes.

Q.—Now, the first Quarterly Meeting that you attended after the separation, did you attend that under the new Discipline or under the old, did you recognize the new discipline or the old discipline ?

A.—The first Quarterly Meeting after we separated we recognized the old ?

Q.—Then you came to the Quarterly Meeting that had adopted the new ?

A.—We hadn't adopted it; our Quarterly Meeting did not adopt it.

Q.—Didn't the men adopt it ?

A.—I wasn't there, but the women's didn't adopt it.

7030

Q.—Were you there ? A.—Not to the men's.

Q.—Well then, in that the Quarterly Meeting was constituted ? A.—Yes.

Q.—Then, how soon was it that you made up your minds that you would have the distinct Yearly Meeting of your own; what was the first workings of that ?

A.—I don't know whether I can tell or not; but I can state this that it was very plain to my mind from the very start that it was our duty, as a people professing to be the Society of Friends, that we continue all our meetings for worship and for discipline up to the Yearly Meetings, but I think—I don't remember that there was anything said in our meetings about it until nearly a Yearly Meeting time—perhaps a Quarterly Meeting before.

Q.—And then how did you reach the matter; how was the matter brought up, do you know; you 7040 know as matter of fact that the Yearly Meeting had adjourned to meet at Norwich, had it not, the Yearly Meeting in '80.

A.—Well, there is an adjournment to that effect, but I attended that Yearly Meeting, and it met with great opposition from Friends, but they would not hear to them—what Friends said.

Q.—The adjournment to Norwich ? A.—The adjournment to Norwich.

Q.—Do you know that Mr. Jones was upon the committee that reported that there was no legal objection to that ?

A.—That might be it might not be illegal, and yet meet with the opposition in the minds of Friends.

Q.—At all events it was understood that the next Yearly Meeting should be held at Norwich, was it not ? A.—That was the minute made.

7050

Q.—And you and your Friends decided to hold a distinct Yearly Meeting then ?

A.—We decided to keep the old Yearly Meeting in the old place.

Q.—Now, the old Yearly Meeting, that is '80, there was a Committee of Discipline appointed, was there not; or did you recognize any of the machinery of the Yearly Meeting '80 in those Committees or sub-committees; did you recognize any of the machinery of the old Yearly Meeting '80, certain things were directed at that meeting should be done ?

A.—We recognized at the meeting as long as they continued under the rightly authorized discipline of the Society—we recognized all the meetings as long as they remained under that, but when they went from under—

Q.—For instance, to illustrate what I mean, in '80 there was a committee on discipline appointed 7060 at page 28, article 42 of '80—now the committee reported to the Norwich Yearly Meeting at page 14, article 29—did you have any report from that committee? A.—No.

Q.—Now, the London epistle was directed at page 30, article 49—that it should be read or sent down, and you will find that referred to again at pages 3 and 4, article 5 of the Yearly Meeting at Norwich—did you take any notice of that direction?

A.—No.

Q.—Again college at a Yearly Meeting '80 page 20, '81 page 21, '82 page 13, did you take any notice at all of the college business?

A.—No.

Q.—And so of the appointment of elders, and I put the question to you again—did you not ignore 7070 the whole machinery of the Yearly Meeting, '80, and appoint a new clerk and new committees and new directions to raise money, and all that sort of thing?

A.—Like this.—what officers in the Society went with us, occupied their old places as clerks and overseers and all officers in every part, but those that went with the other under that discipline to be sure, didn't go with us nor didn't report to us.

Q.—There is a certain amount of money, I observe to be raised—\$500 for the use of the Yearly Meeting; do you know what action was taken on that; did you pretend to raise that sum at all?

A.—No.

Q.—On the contrary the amount raised was some \$70, which was raised then presently at your Yearly Meeting—was it not? 7080

A.—We raised I suppose what was needed.

Q.—Why didn't you raise \$500 as directed by the Yearly Meeting in '80?

A.—Because we had no unity with that meeting.

Q.—Now in the instances that you have referred to when you thought improper practices were introduced; I ask you whether or not you, yourself haven't been—haven't participated in practices of that kind; whether or not you, yourself have never gone forward to what is called the mourner's seat, or prayed for others and requested others to come forward?

A.—No.

Q.—In any meeting? A.—No.

Q.—Never? A.—No. 7090

Q.—Do you remember the occasion of your son ?

A.—Well, as I stated before with regard to my son, he went forward to a protracted meeting and he was but a boy, and I went and kneeled down by him and talked to him of what he was doing—whether he understood what he was doing by going there or at any time went forward to pray for any individual nor invited any forward—to my memory, that I remember of.

Q.—So that if he understood, you had no objection ; if he did understand what he was doing, you had no objection ?

A.—If he understood his business I would not interfere with him.

Q.—You yourself haven't any objection to revivals—have you ?

A.—Well, if a revival meeting was conducted in a proper and orderly manner, what some might 7100 term a revival meeting under the authority of Friends, and held as a Friends meeting I would not object to it ; but a meeting held and an anxious seat got up, which I believe is unnecessary thing in any meeting, and to invite people to come there, as though there was a sacred spot just there at this seat for the penitent, I think it is inconsistent with the profession of Friends.

COURT.— Q.—But I suppose one spot is just about as good as another in the church, as a sensible woman you wouldn't have any objection to one place more than ?

A.—I wouldn't have any objection to any place one any moremore than another, but I don't think that it is necessary to call them out and especially to urge them to that seat.

Q.—And you think that would be sufficient grounds in itself, would that be one of the things that you would think sufficient to cause you to separate ? 7110

A.—No.

Q.—Then you don't lay much stress upon that ? A.—I lay a stress there.

Q.—What is the principal thing ?

A.—The principal things, or one of the principal things that affects me is the ground of conversion and faith as they teach it.

Q.—Whom do you mean by "they" ? A.—The Plaintiffs party.

Q.—When and where ? A.—In nearly all their teachings.

Q.—Be a little more definite and Come to Westlake whom do you mean there, Mr. Charles Gideon Bowerman ?

A.—I think I may at times include almost all of them that are teachers on their side. 7120

Q.—Can you give any particular time and place, and tell us what was said ?

A.—One thing—instantaneous conversion ; I don't know as I can say at Bloomfield—I don't know

as I can state just exactly the time, the day ; but at different times I have heard them taught, and I have also heard it in the Yearly Meeting—different times for the last three, four or five years, that if they believed, if they had faith, which they should have of themselves, they could be saved immediately.

Q.—Who are you speaking of now ?

A.—I think, I may speak of pretty much all of their teachers ; I think I have heard James Barker and David Uptograff and Thomas Lloyd, and all those at the Yearly Meeting make expressions of that kind.

Q.—You are jumping from Bloomfield to the Yearly Meeting ?

7130

A.—We profess to be from one Society—one people.

Q.—Name some person that taught that at Bloomfield ?

A.—I can refer to Charles Gideon Bowerman ; he said that all he needed was faith to be saved.

Q.—When was this occasion ?

A.—I think, I have heard him on several occasions in the last 4 or 5 years.

Q.—Be good enough to name one ?

A.—I can't remember them ; it was some of our meetings.

Q.—Can you name the year ? A.—Within the last 4 or 5 years.

Q.—You can't put it any more definite than that ?

A.—I wouldn't state any particular time, because it has been so often.

7140

Q.—Did you raise objection to the elders ?

A.—I think, by the Judge's permission I will have to state a little of the state of our meeting.

Q.—Answer my question, if you please ?

A.—I think the elders and I, and their ministers and I have often talked of these things, but in the state of our meeting, those new ideas coming into our meeting, and part of our members falling in with that idea, and so got, as it were the upper hands in our meeting, that nothing of this kind, that we brought to their view would be noticed much ; they passed them by without any notice of them, and consequently there was a great many things that we felt very much injured about, that was hid, as it were, a good deal in our own bosoms and among our own part of the Society, as there were not noticed by those to whom we complained of it.

7150

Q.—What do you mean by this meeting ?

A.—I mean like this, that they opposed the old Friends, the plaintiffs opposed the defendants, and in every way that they could they worked those of us out of office and put in their own in nearly every instance that they could possibly do it, so that we had, as it were, to keep silent and let them go on.

Q.—You didn't make any objection, then ?

A.—I say I talked about it to the elders time and again : we often when we got together talked of things, and they saw they were wrong just as we did, but we felt we were in that state and condition that if we complained we only made an uproar.

Q.—The elders were on your side at that time ?

A.—Yes ; these were on my side.

Q.—Did they agree with you ? A.—Yes.

Q.—Why didn't they take action ?

A.—Because they knew they couldn't do anything.

Q.—Why ?

A.—They saw by former experience that when they undertook to carry anything that didn't please the plaintiffs they couldn't carry it.

Q.—They were in the minority ?

A.—No, we didn't work by minorities and majorities.

Q.—Well then, why couldn't you carry it ?

A.—Because they would not hear to it ; they had their own clerks most generally.

Q.—So that in regard to these doctrines you didn't try, is that so ?

A.—We talked to him ; I told him the inconsistencies of these things.

Q.—Was it brought up in the usual way before the church ?

A.—No, because it would not have been heard to if we had.

By MR. MACLENNAN—

Q.—You said that with reference to the adjournment to Norwich that that was opposed ?

A.—Yes.

Q.—Was it opposed in the women's meeting, or was it an open meeting that that was discussed in at the Yearly Meeting ?

A.—I won't be positive, but I rather think it was an open, I ain't sure.

Q.—At all events it was opposed ? A.—It was strongly opposed.

Q.—Was it opposed by yourself ? A.—Yes.

Q.—And by others ? A.—And by others.

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Q.—Was there a large opposition to it ?

A.—Well, I should think perhaps one-third or something like that; I wouldn't like to say there was more than that.

Q.—That were opposed to the adjournment to Norwich ? A.—Yes.

Q.—Did they withdraw their objections ? A.—No.

Q.—What the clerk put down then was put down against the will of those who were opposed to it ?

A.—Yes.

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Q.—When you held your Yearly Meeting, was the epistle that my learned friend spoke of and asked you about presented there ? A.—No.

Q.—There was no epistle presented to you ? A.—No.

Q.—None of these things were presented at your meeting ? A.—No.

Q.—And any reports or anything of that kind that were presented you, you did deal with, if there any ? A.—Yes, where they worthy of being dealt with.

Q.—You didn't ignore that, anything that came before you ? A.—No.

COURT.—There was no officer of the Yearly Meeting, as an officer, except the clerk ?

A.—Two clerks and correspondent to receive any papers that come.

Q.—And did both of these join the plaintiffs party of the Yearly Meeting ?

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A.—The Yearly Meeting had the clerk, yes.

Q.—Did they join the plaintiff's party ?

A.—Yes, I couldn't say about the correspondent.

Q.—Who was the clerk of the Yearly Meeting in '86 ?

A.—Hannah Jane Cuddy, I think.

Q.—That is the women's clerk ? A.—Yes.

Q.—And the men's clerk ? A.—Howard Nicholson.

Q.—And these two went with the plaintiffs to Norwich ? A.—Yes.

MARY ANNE VALENTINE—Sworn for defendants, testified as follows :—

By MR. ARNOLDI—

7210

Q.—Where do you live ? A.—Bloomfield.

Q.—How long have you been a member of the Society of Friends ?

A.—From my birth—my birth, and I trust by conviction and adoption from the Throne of Christ from early youth.

Q.—You are a member of the Bloomfield preparative meeting?

A.—Yes, the particular meeting, preparative monthly and quarterly.

Q.—That is the Westlake Monthly Meeting? A.—Yes.

Q.—Have you been a member of the Westlake all your life? A.—Not all my life.

Q.—How many years? A.—Some 40 years or more?

Q.—And during all that time have you worshipped in this meeting house that is in question? 7220

A.—Yes, when there.

Q.—Have you made the peculiar doctrines and tenets and practices of the Society of Friends a study.

A.—I believe, I have embraced them from conviction and study also.

Q.—Has there any been—any introduction of new doctrines of late years at Westlake?

A.—There has.

Q.—When did it begin; within what time?

A.—Within the last 7 or 8 years, perhaps; I don't know that I am very correct as to the time but for a length of time.

Q.—You have heard these men spoken of here—Maclean, Radcliff, Blackledge, Kenworthy, Scott— 7230 did you hear their ministrations?

A.—I have heard them, yes.

Q.—When they came to Westlake? A.—Yes

Q. Did they introduce new doctrines. A.—They did introduce new doctrines.

Q.—All of them?

A.—I think, I might say all, but in our circumstances we were so painfully circumstanced, and my heart was so pained with continual remorse of those things that I don't know that I can repeat, perhaps anything from memory, for it always seemed while it opened the heart at the time, as if we never retained them, and I took no notes of them.

Q.—Well, do you remember when Scott was there? A.—I do. 7240

Q.—How long ago was that?

A.—I am not very correct in dates some few years?

Q.—You have heard the teachings ; you have been in court and heard the teachings that have been attributed to these men ?

A.—I did.

Q.—Did you hear them teaching those things ?

A.— I have heard them preach many erroneous things continually whilst they were there.

Q.—Can you remember anything that Scott preached or taught that was erroneous ?

A.—I don't know that I can call to mind now anything that he taught.

Q.—You heard what has been attributed to him here ?

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A.—Yes, although at the time I took it in, yet it didn't remain.

Q.—When you hear it repeated here in evidence—you remember that it was so ?

A.—O, yes, I did.

Q.—You say the same as to Maclean ? A.—Yes, I saw him ; Yes.

Q.—And Blackledge ? A.—Yes.

Q.—And Kenworthy ?

A.—Yes, some of those may come to my mind, but at present I don't call them up.

Q.—Well, these new practices were introduced, and did they make a division of opinion in the Westlake body ?

A.—We couldn't unite with those all ; our principles and convictions remained such as they had 7260 ever been, and we couldn't take in those.

Q.—You say “our” principals and convictions ; what do you mean by “our ?”

A.—The Society of Friends.

Q.—Well, then were there any section that did adopt the opinions and practices which these men introduced ?

A.—There were some that were deluded by them, I am sorry to say, and made a great deal of trouble in the Society.

Q.—Did the plaintiffs belong to that Society, to that set ?

A.—The plaintiffs belonged to our meeting.

Q.—But were they of those that embraced and were misled as you say by the teachings of these 7270 men ? A.—Yes.

Q.—Adopted these new doctrines ?

A.—Yes, if you wish me to state something I heard ; I have heard this Noah Maclean say, just on entering the door of our Meeting House, while we were in the meeting, I thank God I don't wait for the spirit, and at the same time taking off his overcoat, and walking up the aisle took his place and continued on talking, and his teaching was just of that character ; no one would suppose he had waited for the influence.

Q.—How long ago was that ?

A.—Some four or five years perhaps—I couldn't say as to the date.

Q.—Then do you remember the introduction of an anxious seat in the meetings ?

A.—I never attended any of their meetings, except once.

Q.—You speak now of the meetings that have been alluded to as revival meetings, special meetings ?

A.—Yes.

Q.—You never attended them ? A.—No.

Q.—Have you seen an anxious seat in any of the meetings, Westlake Monthly ?

A.—I have seen an anxious seat, and I have seen a great deal of noise about it and confusion.

Q.—When was that ?

A.—That was the time I attended that meeting appointed by them ; it has ever been the practice in the Society of Friends that any Friend who might appoint a meeting, no matter who appointed the meeting, any minister of the Society had perfect right to attend that meeting equally with the one who appointed it ; that is our usage and ever has been, and I felt my mind drawn to go and attend the meeting, it was a great trial to me to do so. 7290

Q.—You were a minister at the time ? A.—I was.

Q.—How many years have you been minister ? A.—30.

Q.—You are still a minister ?

A.—I am so called ; I looked upon it as something, a very weighty matter for me to attend one of our meetings—I never had done so ; it was impressed on my mind and I waited on two of our elders and took their advice respecting it, and they advised me if I felt so to attend, and I asked a man Friend, one of my acquaintances, if he would also be so kind, if I went to the meeting, as to go too, and the two elders, both a woman and man Friend, went with me to the meeting ; they advised me to go to the meeting if I felt impressed to do so. 7300

Q.—And what took place there ?

A.—I saw a great deal of noise and confusion.

Q.—Who was the minister that introduced the cause of the noise and confusion? A.—Maclean.

Q.—All this time was there any division in the meeting; what was the discipline that was governing? A.—The old discipline of '59.

Q.—Were you at the Canada Yearly Meeting in '80? A.—Yes.

Q.—Recurring to the meeting you went to as minister a moment ago?

A.—I didn't go expecting to minister; I had no expectation that my mouth would be opened, although I did express a few words. 7310

Q.—Was there anything else, but this anxious seat that took place, that was contrary to the practices of Friends?

A.—The whole tenor of it was contrary to anything at all.

Q.—Do you remember any of the teaching?

A.—I don't really remember the teaching as much as the practice—there was so much noise; there was a continual hubbub, and you may have some idea when Friends half a mile distant could be plainly heard at times in those meetings.

Q.—How was the noise occasioned; by lamentations or singing or what?

A.—I suppose it was by singing, and perhaps so-called prayer, and I don't know what—one noise and another and loud talking—something like a Methodist camp meeting; I don't mean to find fault with 7320 Methodist camp meetings, I believe in freedom of conscience with all, but it is not after our order.

Q.—It was not in accordance with your order?

A.—No, nothing of the kind ever amongst us.

Q.—Have you ever visited other Yearly Meetings—other branches of your Society?

A.—I have visited the Yearly Meeting in New York and Indiana and New England.

Q.—Have you seen these practices in any of those meetings?

A.—Nothing of the kind ever.

COURT.—That is, you have visited other meetings in the United States? A.—Yes.

Q.—And have not observed such practices?

A.—Nothing; this was before this split got into the Society. 7330

Q.—Then do you remember anything about the ministration of Blackledge? Can you tell us anything about his doings?

A.—It was after the same order, as we have been informed; I never attended any of his meetings,

but when they came into our meetings, why then, of course, I heard something from him, but I don't know, although sometimes I recollect somethings that I heard, I don't seem to be posted in things I heard from them.

Q.—Have you ever heard it preached that Christ didn't touch the hearts of the unconverted?

A.—I have.

Q.—Whom? A.—Blackledge, and I think some others.

Q.—Did you ever hear it preached that the Holy Ghost didn't work in the heart of the unconverted? A.—Yes. 7340

MR. BETHUNE.—You had better get what he did hear preached.

MR. ARNOLDI—Continues—

Q.—Whom did you hear preach that?

A.—I think, I might safely say many of their ministers; I have heard Charles Gideon Bowerman preach it.

Q.—Well, both these doctrines are contrary to the Society of Friends?

A.—Decidedly contrary to the Friends; we believe that there is a true seed of the kingdom of the eternal life in the heart of each person, although it may be smothered and kept down, kept out of sight but yet we believe, although it may be smothered and kept down and kept out of sight and not obeyed, yet we believe that if obeyed, it will lead to repentance and newness of life through Jesus Christ our Lord. 7350

Q.—Well, you were at the Yearly Meeting in '80? A.—Yes.

Q.—Had you ever heard about the New York discipline '77 at that time?

A.—At that time, I was there when it was passed.

Q.—But prior to going to that meeting had you seen it? A.—No.

Q.—Or known anything about it?

A.—No, merely heard that there had been a committee appointed the previous year to revise the discipline.

Q.—The existing discipline? 7360

A.—Yes, the existing discipline, but instead of revising they brought this in.

Q.—Who brought it in, do you say?

A.—That committee I suppose that were appointed to revise.

Q.—Were you present when it was brought in, the new discipline? A.—I was.

Q.—Was it brought in by a report from any place or from any body ?

A.—It was brought in by the clerk of the meeting.

Q.—Tell us what took place when it was brought in ?

A.—It was read in the meeting.

Q.—Did you hear it read ?

A.—I heard it read, but although I, in common with others, heard it read, it was impossible for any 7370 of us clearly to digest it then ; it was rather a hurried reading ; we may say it was read paragraph by paragraph of course, but no more so than any other, a newspaper article might be read ; we had no opportunity of digesting the matter in it, still we did digest a part of it, and we could fully disunite with it, what part we did.

Q.—What part of it was that ?

A.—One very important item I always considered was the manner that they proposed of bringing in elders, and I will tell you why, because we have ever believed and held it as one of our fundamental principles that all this must be done, such appointments in the church, by immediate—not appointments but we believe that elders are of divine appointment, that the spirit of the Lord prepares those for His own work in the church, alike as the ministry is prepared ; we believe that those gifts, the gifts of eldership 7380 and the gift of the ministry, are the gifts of God – that man can neither confer them nor take them from the individual unto whom they are given, whereas their discipline appoints them for three years and then changes, so that we consider they are of man's appointing altogether ; they take what should be the work of the Spirit into their own hands, in man's wisdom repudiating the idea.

Q.—You say part of it was suggested, was part of it read in a different manner from the other parts ?

A.—No, I say we caught enough to know that we couldn't unite with it at all, although it was our first hearing of it.

Q.—Referring to the minutes, I find it was read in three different stages ?

A.—I think it was.

Q.—Was the reading of each stage a continuous reading, or was there a pause for discussion after 7390 each paragraph or sentence ?

A.—No, no discussion given at all ; we were forbidden to speak but once during the passing of it through the meeting ; it was equal to saying we should either say yea or nay ; it has ever been our practice to allow our Friends full freedom of discussion on those important subjects.

Q.—It was read in joint meeting I suppose ?

A.—The shutters were open, each occupied our own place.

Q.—When the reading was concluded what took place ?

A.—Many Friends objected to it.

Q.—Both men and women ?

A.—Yes, there were both men and women, I can speak for myself, I objected to it, and I entered my protest against it in the meeting. 7440

Q.—Did others do so ?

A.—I don't recollect they used those words, I said I protest against it, but many objected quite in as full terms.

Q.—Well was any heed given to these objections ?

A.—Not in the least, one Friend I think attempted to speak a second time, and they were at once put down—we were overruled.

Q.—Were any people refused leave to speak at all ?

A.—Not that I know of, but in making up, there were many spoke in favor of it that were never accustomed to taking any part in the business of the church, gave their assent. 7450

Q.—How do you think the meeting was divided upon the matter ?

A.—Well I should think pretty equally divided if the truth was known.

Q.—Then was any request made to postpone the consideration of it ?

A.—There was, to postpone it for a year.

Q.—Did you request that ?

A.—I assented with the others, whether I proposed it I can't say, but I was one in it.

Q.—You heard that proposition made ? A.—I did.

Q.—By more than one person ? A.—Yes, we all assented.

Q.—Was it made by several—a great number ? A.—Yes, by a number—a great number.

Q.—It was not acceded to, of course ? A.—Not at all, 7460

Q.—Well then, when it came to the end, how was it that it came to be adopted ?

A.—I don't know any better way to state that than that it was carried over the heads of concerned Friends, and we were allowed no voice in it; the question has been asked different times, why did we not remonstrate against those things ? We did repeatedly remonstrate, but we found remonstrating only did harm rather than good, because it tended to confusion and we were not heard; we could accomplish nothing.

Q.—Did you or any of you, who objected to it in the way you proposed, or asked its further consideration withdraw from this opposition ?

A.—Oh, no, we didn't withdraw.

Q.—But you gave up none of your objections to it ?

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A.—Not at all, and we haven't given them up yet.

Q.—Well then after this when did you next hear of the new discipline ? You left the meeting and went to your homes I think ?

A.—When the Yearly Meeting concluded we went to our homes.

Q.—When was it it next came to you for consideration in any way ?

A.—At the Quarterly Meeting it was decided that it should come into effect at this Quarterly Meeting—in the winter of that year and that would be in the second month I think, and it was brought in the meeting, and we couldn't unite with it and all still objected.

Q.—You are speaking of the women's Quarterly Meeting ?

A.—Of the men's Quarterly Meeting ; I can't speak of the men's.

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Q.—To return to the Yearly Meeting in '80, do you remember how it was finished ? Was there anything said as to the next year's meeting ?

A.—It was intended to hold it there the next year as far as I recollect ; I don't know anything to the contrary.

Q.—You are speaking of the meeting of the Society of Friends ?

A.—Yes, I am speaking of the Friends Yearly Meeting.

Q.—Well, the minutes contain a memorandum that the meeting for the next year is to be held at Norwich ?

A.—Well, I can't conscientiously consider that a Friends' Yearly Meeting because those persons who were holding it had laid aside the Friend both in principle and practice, and we could not conscientiously consider them Friends and never have.

Q.—Was there a regular adjournment from Pickering to Norwich ?

A.—They made one.

Q.—Did you take any part in that adjournment to Norwich ?

A.—No, we didn't take any part in it, but objected to its being made, disapproved of it.

Q.—In the same way that you had objected to the passing of the discipline ? A.—Yes.

Q.—And how did the minute come to be made in that way if you all objected to it ?

A.—Just in the same way that the discipline was passed.

Q.—Now, what was the proper practice in matters coming before meetings as to the passage of them ; was it proper that that discipline should have been passed under the circumstances ?

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A.—No, it was not ; we have always been in the practice of passing anything that has been passed in unity of the body, and, as has been already stated here, if it couldn't be passed at that time in unity of the body, it was laid aside for another time, in order that it might be considered and brought up again, perhaps with a different feeling.

Q.—By unity of the body you mean unanimity ?

A.—I do mean unanimity.

Q.—Well then, in this case would that have been the proper course, in view of the opposition, to have laid it over ? A.—Well, that was proposed by some of our Friends.

Q.—As I understand you then, according to the usual practice under the circumstances that occurred there, the adoption of it should have been laid over ?

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A.—Yes, that was the least that could be done, I should think.

Q.—And the adjournment to Norwich should not have been as passed ?

A.—No, not carried in the way it was done.

Q.—Now, what was the clerk's duty on that state of affairs, part of the meeting being divided ?

A.—I have known what it is to serve as clerk, and I could never as clerk consent to anything nor could I put my name to anything that I couldn't conscientiously do ; the clerk is the servant of the meeting, and if anything was forced upon me I should prefer to lay down my pen rather than go against the convictions of my conscience.

Q.—In the case of this clerk here, here under these circumstances, what should he have done ?

A.—He should have allowed it to be laid by for another year to be reconsidered, and in the meantime that discipline should have been reconsidered by members, and we should all have had an opportunity of looking over it and giving our judgment respecting it.

Q.—Then the making of this minute by the clerk you mean to say was improper under the circumstances ? A.—Improper, altogether aside from our usage.

By MR. BETHUNE—

Q.—At this meeting at which you say you heard these erroneous doctrines preached by Maclean, did you see this old gentleman, your husband, jump on Mr. Maclean's back ?

A.—I did not see anything of the kind ; my husband wasn't there.

Q.—This old gentleman I think we can establish beyond a doubt was the man who got up the row ?

A.—My husband was at home that evening.

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Q.—Then you were'nt there the night that he performed that ?

A.—I don't think any such thing ever occurred.

Q.—You don't think that ever occurred ? A.—No.

Q.—It did'nt occur the night you were speaking of ?

A.—No, nor any other night I believe.

Q.—Now you say that you always intended that the real society of Friends always intended the meetings the next year at Pickering '81 ?

A.—Yes, that is the place for holding our Yearly Meeting, and we saw no reason to change.

Q.—Then, although you went through the form of having a minute to say that you were going to meet at Norwich, that was never intended to be carried out ?

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A.—That was not our doing any more than the bringing in of the discipline was.

Q.—How were you going to disregard that ? A.—We were over-ruled.

Q.—How were you going to disregard the fact of the announcement made at the close, to which you assented that you were going to meet the next year ?

A.—When we had objected to it we had done our part and could do no more, and did we attempt to do any more we knew very well it only raised trouble.

Q.—Then the reason why you say this was not binding on you, whom you call the real Friends, is because of these other people, who were evidently in the majority, were really not Friends at all ?

A.—I am not sure they were in numerical majority.

Q.—They made more noise ? A.—Yes.

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Q.—Then because these people, who made so much noise, were really not Friends at all ?

A.—What could we do ; we entered our disapproval and then we were obliged to leave it, and it was carried over our heads.

Q.—Then you acted next year just as if you had done, just as if you had adjourned to meet at Pickering ? A.—We held the Yearly Meeting as usual.

Q.—You acted just in the same way as you would have acted if the adjournment had formerly been to meet at Pickering ?

A.—Exactly, we met in the usual Yearly Meeting we had always done ; no difference ; they went to Norwich and held a meeting of their own, and we had nothing to do with it ; they called it Friends' Yearly Meeting, but I think the testimony of others who were there, Friends who were there will prove it was not ; I understood they were told in their meeting that it was not a Friends' Yearly Meeting.

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SARAH MARIA AYLESWORTH, sworn for defendants, testified as follows :—

By MR. ARNOLDI—

Q.—Have you been a member of the Society of Friends long ?

A.—Birthright member.

Q.—Are you a member of Westlake Monthly Meeting ? A.—Yes.

Q.—And have been all your life a member ? A.—Yes.

COURT.—The Westlake Preparative and Monthly ?

A.—Both the Monthly and Preparative.

Q.—Have you been attending meetings at which new doctrines have been preached or taught, 7570 differing from the doctrines of the Society of Friends ?

A.—I heard some.

Q.—When ? A.—Within the last 4 years.

Q.—Who were the teachers that you heard preaching these new doctrines ?

A.—I heard William Barker for one.

Q.—Where did you hear him ? A.—Bloomfield.

Q.—What was it he taught ? Did he teach any errors first of all ?

A.—It was that that I never heard Friends teach.

Q.—What was it you heard him teach then that you had never heard Friends teach ?

A.—I heard him say that divine inspiration or inward light, which we hear so much said about was 7580 a hellish doctrine.

Q.—Well, was the doctrine of the Friends upon that subject ?

A.—Well, I never heard that taught in a Friends meeting before, but I am not prepared to explain the Friends doctrine ; there are those that can do it.

Q.—Did you hear him teach anything else that your know of—that you had never heard among Friends ? A.—That is all I heard from him.

Q.—Did you hear anybody else preach strange doctrine ?

A.—I heard Amos Kenworthy.

Q.—Where did Barker come from ? A.—Norwich I think.

Q.—Was he an accredited minister ? A.—I think so at that time.

Q.—Where did you hear Amos Kenworthy? A.—Bloomfield.

Q.—What did he teach that you thought different from Friend's doctrines?

A.—I heard him say that he didn't believe in silent prayer, prayer not uttered was not prayer at all

Q.—You know what the doctrine of Friends is on that subject, of course? A.—Yes.

Q.—What is it? A.—They believe in silent prayer.

Q.—Did you hear him preach any other doctrine different from the Friends?

A.—I heard him say he was glad he didn't have to wait for the spirit to move him—he could move himself.

Q.—Anything else?

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A.—Not particularly, I didn't attend his meeting only a few times.

Q.—Did you hear any other minister or any other preaching that was contrary to the practice and doctrines of Friends?

A.—I have their principal minister at Bloomfield, Charles Gideon Bowerman.

Q.—What was it he preached?

A.—I heard him say that God had nothing to do with man, until he was converted.

Q.—Did you hear that more than once?

A.—I have heard him speak on that subject, in the same way more than once.

Q.—And you have heard him speak that in conversation too? A.—Yes.

Q.—You say, he is one of their ministers; whom do you mean by their?

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A.—The plaintiffs I should judge, from what I have seen in their meeting.

Q.—You are a member of the defendant's party, I think? A.—Yes.

Q.—He isn't one of the defendant's ministers at any rate? A.—No.

Q.—Did you ever hear him say any thing else that was strange?

A.—I don't remember now.

Q.—Well, did any of these people that you have mentioned introduce any practices in your meeting that was strange? A.—Yes.

Q.—Who, and what did he introduce?

A.—Amos Kenworthy—the mourners bench and invited people to sing.

Q.—Did he invite them to do any thing else?

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A.—I heard him invite them all to kneel down and pray, and stand up and sing.

Q.—Were these things contrary to the practice of Friends as you had known?

A.—I never saw it in Friends' meeting before.

Q.—These meetings that you speak of Kenworthy's and the others, where were they held?

A.—Bloomfield.

Q.—In what meeting house, or in any meeting house? A.—Friends' meeting house.

Q.—The Westlake house in question? A.—Yes.

Q.—Were these what have been spoken of as revival meetings that you refer to?

A.—Kenworthy's meeting was.

Q.—Barker's was not? A.—No.

7630

Q.—Was Barker at one of the regular meetings of the Monthly Meeting?

A.—At the Quarterly Meeting 6th February, '81.

Q.—Well, were these revival meetings regular meetings of the Monthly Meeting, or were they extraordinary special meetings?

A.—It was the first meeting of the kind I ever attended—Kenworthy's was—among Friends.

Q.—Was it given out of the ordinary course of the regular meetings? A.—Yes.

Q.—Was it announced? A.—Yes, they were evening meetings.

Q.—When was notice given of when the meeting should be held?

A.—I can't say, I didn't hear it given.

Q.—Did you hear any notice of any such meeting given at any time?

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A.—Notice was given at one time of the Monthly Meeting.

Q.—Who gave it out as a rule? A.—I don't remember.

Q.—Was it the clerk or one of the regular ministers or visiting ministers or who?

A.—It was given out at the close of the meeting of worship, before the Monthly Meeting held their business meeting.

Q.—Who gave it out? A.—I don't remember who gave it out.

Q.—Were these meetings held when Blackledge wasn't there?

A.—Blackledge wasn't there at this time ; Kenworthy was.

Q.—Kenworthy—were they held when he wasn't there? A.—No.

Q.—Did you ever hear of any such meetings being held by any other visiting minister? A.—Yes. 7650

Q.—By whom? A.—Blackledge.

Q.—Who else? A.—I have heard several others.

Q.—Have you heard of these others that have been mentioned here—Scott?

A.—I have heard of Scott, and the two colored men, but I never was at any of their meetings; I was not in Canada at the time.

Q.—Scott and Radcliff? A.—I believe that was one of the men.

Q.—Are the ministers in the Society of Friends paid for their services?

A.—No, I never heard of it.

Q.—Has it ever been the practice to pay them? A.—No.

Q.—Do you know whether any of the ministers of the Society of Friends are paid for their 7660 services?

A.—I don't know of any ; I never heard of a minister in the Society of Friends being paid.

Q.—Is there anything in the discipline of '59 allowing ministers to be paid?

A.—I think not.

By MR. BETHUNE—

Q.—Do you belong to the defendant's meeting? A.—Yes.

Q.—When did you join with them? A.—I am a birthright member.

Q.—When did you adhere to them instead of to the other meeting?

A.—I have always adhered to them.

Q.—Do you yourself believe all that is in the Bible? A.—Yes, I don't know that I—

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Q.—No doubt about that? A.—Why do you ask me that question?

Q.—I have a particular reason? A.—Friends all believe in the Bible.

Q.—It was this particular Friend that I was speaking to—do you believe all that is in the Bible?

A.—Yes.

Q.—And have you always believed that all that was in the Bible? A.—Yes.

Q.—Now, are you at one with the defendants in complaining of the departure from the ancient practice on the part of the plaintiffs ?

A.—I have sympathy with them.

Q.—Do you make it a cause of complaint, do you join with them your complaint at the alleged departure from the ancient practices ? A.—Yes.

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Q.—Well, have you been brought up before any of the bodies for the departure from the ancient practices of Friends in any way ? A.—No, not that I know of.

Q.—Not in the matter of dress ? A.—Never.

Q.—Never in the matter of dress ? A.—No.

Q.—Do you consider you follow the ancient practice of ladies dress at all ? A.—No.

Q.—Well, that can't be a very serious thing if the defendants haven't brought you up for that cause ; I might have taken you for a Presbyterian lady or a lady belonging to the English Church, from the dress ; do you mean to say you have not been disciplined for that, because I suppose you dress ordinarily just as you do now ?

A.—I suppose I dress to please myself, not my friends.

7690

MARTHA JANE GARROTT, sworn for defendants, testified as follows :—

By MR. MACLENNAN—

Q.—Have you been in the habit of attending the meeting of Friends at Westlake ? A.—I have.

Q.—For how long ?

A.—I have always attended the meeting at Wellington since a child, with the exception of one year.

Q.—Have you been in the habit of attending Westlake ?

A.—I have attended the meeting held at Wellington on the Sabbath and have occasionally attended the meeting at Bloomfield.

Q.—In the Meeting House in question ? A.—Yes.

Q.—And have you observed any change of practice in preaching ?

7700

A.—I have, in practice, I am not a member of the Society of Friends, but I have always attended their meeting, and have noticed the difference in their practice.

Q.—Now, what difference have you noticed ?

A.—Singing, reading, calling on different persons to speak and pray.

Q.—In meeting ?

A.—During meeting, yes ; shaking of hand during meeting ; before the meeting closed asking the congregation to stand and sing, and to sing that could sing, and telling them to bring their hymn books to meeting with them.

Q.—Have you been attending the plaintiffs' Monthly Meeting at Westlake since the separation ? 7710

A.—I have attended both.

Q.—Are you now describing what has taken place in the plaintiffs' meetings ?

A.—I am describing now what took place in '82 at Wellington—a part of it, and part of it took place about 7 years ago at Wellington.

COURT.—Is there a Meeting House at Wellington and one at Bloomfield, or two the same ?

A.—There are two houses, but they constitute the Westlake Monthly Meeting ; separate meetings are held alternately at those two places, Bloomfield and Wellington.

Q.—Westlake Monthly Meeting is in short, has two places of meeting ? A.—Yes.

Q.—The one that is now in question and also another one ? A.—Yes.

COURT.—And these innovations in the practices you say took place at the Wellington meeting ? 7720

A.—I have noticed more at the Wellington meeting, as I have attended that meeting more than the other.

Q.—But you have observed the same practice in both ? A.—I have.

Q.—With regard to shaking hands described, what was said and done ?

A.—The minister asked all to stand and shake hands, as he said the origin of shaking hands at the close of Friends' meetings was to show there was unity with them, and said, Friends now shake hands, and they stood and did so, and he said then, shake hearty, and they shook hands around among the whole congregation.

Q.—And was that a new thing that you had never observed before ?

A.—I have never seen it before nor since. 7730

Q.—Who was it ? A.—Noah Maclean.

Q.—That proposed those things ? A.—Yes.

Q.—What part of the meeting was that ? A.—That was at an evening meeting.

Q.—What part of the meeting ?

A.—He had spoken and called on a great number, and then called on them to shake hands.

Q.—Was that at a regular meeting ?

A.—It was at a meeting that had been appointed in the evening by him.

Q.—That was at a meeting which had been appointed by him ?

A.—Or some other party for him.

Q.—In this ? A.—In this Wellington Meeting House.

7740

Q.—Have you observed any change in regard to the reading of the Scriptures in your practice ?

A.—I have never heard the Scriptures read except during the last nine years.

Q.—Have these practices been kept up in the last two years ? A.—Yes.

Q.—In the plaintiffs' meeting ? A.—Yes.

Q.—Both at Bloomfield and at Wellington ? A.—I have heard them at both.

Q.—Did you know Mr. Blackledge ? A.—I have seen him at meeting at Wellington.

Q.—What did he practice ?

A.—Reading, singing, asking the parties to kneel and stand at different times, and telling them to sing, and I saw him use a hymn book himself, and different ones among the congregation did the same.

LEVI BOWERMAN—Sworn for defendants, testified as follows :-

7750

By MR. ARNOLDI—

Q.—You are a member of the Society of Friends ? A.—I am.

Q.—Where do you live ? A.—In Bloomfield.

Q.—You are a member of the Westlake Monthly Meeting ? A.—I am.

Q.—How long have you been a member of the society of Friends ? A.—Since my birth.

Q.—You are a birthright member ? A.—Yes.

Q.—How long have you attended Bloomfield Westlake Meeting ?

A.—Ever since I was large enough to go with my father.

Q.—You were at one time an elder were you not ? A.—Never.

Q.—Do you remember any introduction of new practices, new preaching or practices at any time to the Westlake Meeting ?

A.—Yes, I have seen more or less of it.

Q.—Who introduced these preachings and practices ?

A.—I was at a meeting of Macleans twice I think.

Q.—When was that ?

7760

A.—I don't recollect the exact date, but the time he was there holding his series of meetings.

Q.—Some years ago ? A.—Yes, 4 or 5 years ago.

Q.—Do you remember what he preached that made them new ?

A.—No, I can't recollect what he said about preaching, I recollect his speaking about prayer, he said there was no prayer but vocal prayer. 7770

Q.—How was that contrary to Friends' doctrine ?

A.—Well, we believe in the spiritual prayer—silent prayer.

Q.—Is what he said entirely contrary to the belief of Friends and practice of Friends ?

A.—We believe there is a vocal prayer, but we don't believe that is all the prayer there is.

Q.—He said there was no prayer but vocal prayer ?

A.—Yes, he said there was vocal prayer and there was no other.

Q.—Did he say anything else ?

A.—He said a great deal else, but I can't recall it now, I made no minute of it.

Q.—You have heard what has been said by him—about him here in the giving of the evidence ?

A.—I have heard a part. 7780

Q.—You didn't hear it all ? A.—No.

COURT.—Do you recollect yourself ? A.—I heard it myself.

Q.—Well now, do you remember a man named Radcliff being with him ? A.—Yes.

Q.—Remember anything that he said or did that was wrong or different from the practices and teachings of Friends ?

A.—I remember his speaking pointedly to me in the meeting.

Q.—What was it he said ?

A.—He told me I hadn't been converted, the scales hadn't fallen from my eyes, and I couldn't judge.

Q.—Couldn't judge what ?

A.—Something he had spoken ; I don't remember now what it was. 7790

Q.—That may or may not have been proper according to the practices of the Friends—now tell us anything that he said or did that was contrary to the usages and doctrines and practices of Friends ?

A.—No, I couldn't tell you much that he said.

COURT.—Had you been remarking upon anything he did when he told you that ? A.—No.

Q.—How did he come to make the remark at all—you couldn't judge what?

A.—There was at the time a good deal of uproar in the meeting, and I arose and said, that if the Friends could be quiet for a few minutes it would be according to my mind that they might know where they were, and he made that remark.

Q.—Well now do you remember any action being taken with reference to the introduction of new doctrines and practices by Maclean, to try to put a stop to it? 7800

A.—I recollect Charles Gideon Bowerman being very forward in it, and there was I think a committee appointed to go and see him about it, and I was there at the time, and they asked me to go with him to the meeting—go to the committee.

Q.—Appointed by whom?

A.—I guess, I am a little too fast in saying committee being appointed, but I think it was the elders that asked us overseers to go and see with them—to see Charles Gideon Bowerman.

Q.—Who were the parties that were to go and see Bowerman—remember their names?

A.—Wm. Valentine, Levi Varney, Stephen White and myself went, and I think there was another—George Lear was with us along.

Q.—Did you go to see Bowerman? A.—We did. 7810

Q.—With reference to Maclean?

A.—I can't tell you exactly the business, because we had no opportunity with him.

Q.—You know what you went to see him about?

A.—No, I don't; I was asked to go with the rest to visit him.

—What about?

A.—I couldn't tell that because we had no opportunity with him at all.

Q.—You knew what you wanted an opportunity for—didn't you? A.—No.

Q.—Were you to go over there and wait till somebody put it in your mind what you were to do?

A.—They had business, I expected, likely they knew what it was, but they had no opportunity of making it known. 7820

Q.—They had their business and you accompanied them, and did not hear what business? A.—No.

Q.—You went to Bowerman?

A.—We started to go there and found him on the road, and we asked for an opportunity with him and his wife said that we could have it, but that she must be present; so she asked us in the house—

to go in the house, and we went in, and after we got in, they wouldn't admit us an opportunity with him without having some other members along, and there was a little consultation about it, and Maclean lay on the lounge in the room with a handkerchief over his face, and during this time, he says let us go to prayer and he rolled off on his knees and went to praying, and as soon as he began to pray there was, I think 8 or 10, outside came in and kneeled down all around the room, and he kept on with a long prayer and praise for those that were present, and a number of them got up and left the room. 7830

Q.—And this destroyed your chance of getting an opportunity?

A.—Yes, they went away, and I remained a while till they got through with their prayer and I got up and thanked them for their prayer and got up and went home.

Q.—Are you aware whether an opportunity was found subsequently, or whether he was visited in the matter?

A.—I don't know of any after.

Q.—Are you aware of any other of these preachers that have been mentioned—there was Blackledge do you remember him?

A.—I know but little about Blackledge; I don't know that I attended any meeting where he was; I don't think I was. 7840

Q.—Do you know anything about Kenworthy? A.—Yes, I was at his meeting.

Q.—When was that?

A.—A short time ago, some few weeks.

Q.—Were you at any of his meetings before that?

A.—Yes, some years ago, I was there at one or two.

Q.—When, what time, try and fix it as nearly as you can?

A.—It must be 5 years ago or 6 years ago he was there first.

Q.—And was he there subsequently?

A.—Yes, he was there this present season.

Q.—Was he there between 5 and 6 years ago now? A.—Not that I know of. 7850

Q.—Did you attend his meetings 5 or 6 years ago?

A.—Yes, I was there twice, I think.

Q.—Remember any of his preaching that was new to you?

A.—No, I made no minute, nor tried to remember anything that I heard at that time.

Q.—Do you remember whether he did preach new doctrines?

A.—I couldn't say as for that.

Q.—Do you know of anything he did at that time that was contrary to the usages of Friends?

A.—No; well I recollect once that he objected to a Friend's speaking during the time he was speaking, and the Friend stood behind him, and he turned around and he said to him, that that is not so, during the time he was preaching.

7860

Q.—Was that contrary to the usages of Friends?

A.—I should consider so.

Q.—You say you attended a meeting of his recently? A.—Yes.

Q.—When was that, some few weeks ago? A.—Yes.

Q.—Did anything extraordinary take place there?

A.—Nothing more than one remark that he said.

Q.—What was that?

A.—He said that he expected to see Christ in his body, the second appearing and that soon.

Q.—Was that contrary to the Friends teaching?

A.—Contrary to what I have been able to learn from it.

7870

Q.—Well what meeting was he visiting this time that you heard him this last time?

A.—He was at our regular first day meeting—meeting of the defendants; we all met together, and he was there, I am not sure, but I was at two meetings whilst he was there.

Q.—Was it there that he gave utterance to this doctrine that you say? A.—Yes.

Q.—Was it the plaintiffs meeting or the defendants meeting?

A.—We all met together; that was the way we have been doing all through the summer—meet together on the first day.

COURT.—Have both parties been meeting together—in one meeting altogether? A.—Yes.

Q.—That was while you were waiting for the plaintiffs meeting to be through for yours?

A.—Yes.

7880

Q.—It was really at the plaintiffs meeting then, while their meeting was going on?

A.—I don't know how you would consider it; they met at 10 and we at 11.

Q.—You were in the room while their business was going on? A.—Yes.

Q.—It was then you heard it ? A.—Yes.

Q.—Did he remain for your meeting at eleven ? A.—No.

Q.—Did he ever take part in your meeting at all ? A.—No.

Q.—How long was he there ? A.—I am unable to say ; I think I attended two of his meetings.

Q.—That is, you were present at two meetings where he was ? A.—Yes.

Q.—Did he appoint any meetings himself ?

A.—I think he did—not to my knowledge.

7890

Q.—Did he lead these meetings or take an active part in them in which he was present while you were there ?

A.—Nothing more than any other minister would get up and speak.

Q.—Did he introduce any practice that was new ? A.—No.

Q.—Not that you saw ? A.—No.

Q.—Were you present at the Canada Yearly Meeting in '80 ? A.—No.

Q.—Which Discipline do you live under ? A.—The old Discipline of '59.

Q.—Have you adopted the new Discipline in any way ?

A.—No, I always felt an opposition to it from the first.

Q.—You know this meeting house in question ? A.—I do.

7900

Q.—You know the land which is claimed by the Westlake Monthly Meeting, six acres ?

A.—I do.

Q.—Do you know the piece which formerly belonged to Bull and Bowerman, respectively ?

A.—Yes.

Q.—They each conveyed three acres ?

A.—Yes, I never had much acquaintance with the deeds ; I knew the shape of the lands, where the lands were.

Q.—It was Bull that confirmed it by a second deed, the three acres ? A.—I think not.

Q.—It was Bowerman gave the second deed ? A.—Yes.

Q.—Well, is the meeting house upon the three acres Bowerman conveyed or upon the three acres Bull conveyed ? A.—It is not.

7910

Q.—Is it on the three acres Bowerman conveyed ?

A.—It is not on Bowerman—it is on the Bull part nearly all; there is a little part of the shed—

Q.—I speak of the meeting house?

A.—The meeting house is some distance to the westward of the line.

Q.—Is it as much as 30 feet?

A.—I should think it must be that; I never looked particularly, but the shed is a great deal more than 30 feet long; I should think it is 60 feet long, and I think there ain't over 20 feet of the shed on the line.

Q.—The meeting house was on part of lot 10; that was conveyed to the meeting?

7920

A.—No, 9, I think.

Q.—I see the piece Bowerman gave a deed of was a part of lot No. 10? A.—Yes.

Q.—And the Bull part lot 9? A.—Well, that is what I say the house is on, lot 9.

Q.—Do the lots run north and south? A.—Nearly.

Q.—Is the dividing line north and south? A.—Yes.

Q.—Which way does the house face?

A.—A little east of south; the road runs angling through, and it is square with the road.

COURT.—The whole meeting house is on lot 9 and part of the shed is on lot 10?

Q.—How much of the shed? A.—I think probably there is 20 feet.

Q.—What is that shed for? A.—For the use of teams for the meeting.

7930

Q.—Is it one continuous building?

A.—They just corner together, and then there is a little wood house built in the back corner between the house and the shed.

Q.—What I mean to say is this shed that goes across the line is one continuous building that crosses the line? A.—Yes.

By MR. CLUTE—

Q.—How long have you resided in that neighborhood? A.—About 17 years.

Q.—How long have you been acquainted with that district?

A.—About 50 years; ever since I was old enough to—

Q.—And ever since you can remember, that meeting house, that is there now has been in the same place? A.—Yes.

7940

Q.—Only repaired from time to time? A.—Yes.

Q.—And used by the Westlake Monthly Meeting of Friends? A.—Yes.

Q.—For the last 50 years? A.—Yes.

Q.—Were you acquainted with the original Trustees named in the deed? A.—Yes.

Q.—Do you know when they died? A.—They aren't all dead.

Q.—Jonathan Clark died?

A.—Yes; those Trustees are dead, in the original deed.

Q.—Do you know when they died; did you know any of the original Trustees?

A.—No, I didn't.

Q.—They were dead before you remember? A.—Yes.

Q.—They had been dead I suppose for probably 10 or 15 years?

A.—I couldn't tell; I wasn't acquainted with the original trustees that were mentioned in the deed.

COURT.—Do you know that they are dead—these original trustees Jonathan Grant, Daniel Haight and Gilbert Dorland?

A.—Yes, I don't know of any such men living.

Q.—You believe they are dead? A.—Yes.

Q.—This church and garden in connection with it has always been fenced in as long as you can remember it? A.—Yes.

Q.—Just in one plot? A.—Yes.

Q.—And so continues to the present time? A.—Yes;

Objected to and Court rules that there is a title in one or other of the trustees of the bodies, and the only question is which body is entitled.

MR. CLUTE—Continues—

Q.—Speaking of the meeting you have referred to—for instance Maclean's meeting? Can you tell us when that was, in which he said there was no prayer but vocal prayer?

A.—I have no date to give; I only recollect his expression.

Q.—Can you give us the year? A.—No, I couldn't.

Q.—Did you make any minute at the time? A.—I didn't.

Q.—Have you been just keeping these particular words in your mind ever since?

A.—It made an impression on my mind that I never forgot.

Q.—Do you undertake to say you are giving us the exact words? A.—I do.

Q.—You mean to say he said that there could be no prayer, unless they were formulated by words?

A.—I can't trace the words back, until he came to the prayer; I recollect his saying something about vocal prayer; he says there is no other, vocal prayer being the only prayer and no other.

Q.—Did he say anything about prayer must be in the words—there was no other—it must be formulated in words? A.—No.

Q.—Will you swear he didn't say that? A.—No, I wouldn't.

Q.—Do you think there could be prayer without being formulated by words?

7980

A.—It would be in a persons mind I suppose.

Q.—Will you say that was not what he intended to teach there that prayer must be formulated by words or in words?

A.—I don't know what his intention was; I know what he said.

Q.—Will you say that was not the effect of his teaching, the whole of it, taking all that he said together, and not a particular word or a few words together?

A.—I don't really understand the question.

Q.—And you don't really understand what he said?

A.—I don't really understand the question.

Q.—Will you undertake to affirm that what he taught there was, taking his whole sermon together, 7990 that there could be no prayer unless it was formulated in words?

A.—That is what I understood him to say, that is the meaning I took from it.

COURT.—Spoken prayer you mean, do you not? A.—Yes, that is what I mean.

Q.—It must be in words, whether spoken or not? A.—He didn't say anything about that.

Q.—He didn't go behind the voice?

A.—I have been told by a good many members that we couldn't understand ministers from the west, was the reason we found so much fault with them; I told them that they had better send them back and learn the English language, so that we could understand them.

WILLIAM VALENTINE—Sworn for defendants, testified as follows :—

By MR. MACLENNAN—

8000

Q.—Are you a member of the Society of Friends? A.—Yes

Q.—How long have you been such? A.—Ever since I was born.

Q.—And that is a good many years ago, I believe ?

A.—It is pretty well on to 78 ; I think I have been a member longer than any other man in this room.

Q.—How long have you been in connection with Westlake ?

A.—Ever since the year '20 I have been a member of Westlake Monthly Meeting, with the exception of a year and a half or so, or perhaps a little more, in which they undertook to disown me.

Q.—All that was described in Mr. White's evidence which has been read ?

A.—I didn't consider I was disowned, but still I don't wish to say that I have been all my life a 8010 member.

Q.—The Quarterly Meeting removed the disownment ? A.—Yes.

Q.—And you have been connected with the Westlake all that time ?

A.—I have never been member of any other monthly meeting except Westlake since I have lived in Canada, and that is since the year '20—63 years.

Q.—Have you held any official position in the body at any time ?

A.—O, I have been an overseer for a short time, and I have been clerk of preparative meeting, monthly and quarterly meetings.

Q.—Have you been an elder at any time ? A.—No.

Q.—Nor a minister ? A.—No.

8020

Q.—Mrs. Valentine, who was examined as a witness, I think is your wife ? A.—Yes.

Q.—Have you in your lifetime paid great attention to the doctrines and practices of your body ?

A.—I have, particularly since the year '28, when there was a separation in the Society.

Q.—That was the Hixite ?

A.—That was the Hixite, and though I didn't pay attention before that, I did more or less because my father was a Friend before me, and brought me up in the principles of Friends, father and mother, and I was young, but at that time my attention was drawn to it, and I paid particular attention and read a great deal of their literature.

Q.—Now, have there been any practices introduced of late into the Westlake Monthly Meeting ?

A.—There have.

8030

Q.—Which are at variance with the ancient practices of the Society ? A.—There have.

Q.—State shortly to the Court what these practices have been ?

A.—Just what has been related by the other witnesses, the mourners' bench, singing, reading Scriptures in meeting, and continuous preaching and praying and no time given for any sort of reflection.

Q.—Now, in what respect does this practice in preaching differ from the ancient practice ?

A.—We were always, when I was a boy in Friends' meetings in the old Country and in Canada for many years and always in Friends' meetings, it was expected that we would sit down in silence until the holy spirit should induce us—visit some ones mind and inspire them to get up and speak, or else go to prayer.

Q.—Now, did that rule apply to ministers as well as to others ? A.—It applied to all.

8040

Q.—Ministers and elders and others ?

A.—Any one who was called on to speak, our Society never confined the speaking to ministers or elders.

Q.—Now the mourners bench that you speak of, what use was made of that ?

A.—They were invited to come forward to it and be prayed for, and accordingly some individuals did go forward, and then there were prayers uttered on their behalf.

Q.—Which is contrary to the ancient practice ?

A.—It was contrary to the usages and also to the principles of Friends, because we don't believe in any one getting up and speaking merely because it is suggested to them.

Q.—It strikes at one of the fundamental principles of Friends ?

8050

A.—One of the fundamental principles of the Society.

Q.—And reading the Scriptures in meeting that has been the ancient practice of Friends in regard to that ?

A.—Both in the old country when I was a boy and in Canada ; there never has been such a thing until within the last 6 or 7 years.

Q.—Until introduced into Westlake ?

A.—Yes, we are enjoined to read the Scriptures.

Q.—Just state briefly upon what that is founded, upon what the practice of not reading the Scriptures is founded ?

A.—We read the Scriptures and are enjoined by our discipline to do so daily, and all those who are true Friends will read them daily at home ; when we go to meeting we wait upon the Lord, sit down in silence, and wait upon the Lord, upon our Heavenly Father for his direction as to what we shall do, either in vocal service or in entire silence ; some of our meetings are conducted in entire silence ; I have attended some now lately of our own meetings that there was not a word spoken.

Q.—Not a word spoken during the whole course of the meeting ? A.—Yes.

Q.—Were these new practices approved of by your people ?

8060

A.—Not at all; they were always disapproved of, and that disapproval expressed openly and socially in every way.

Q.—By all members of Westlake?

A.—No, no not by all, but by those who felt really concerned to do it.

8070

Q.—That is by the defendants, not approved by the defendants?

A.—Not approved by the defendants at all,

Q.—And were they approved of by some?

A.—They must have approved of it, or they would not have practised them I suppose.

Q.—Approved of by the plaintiffs? A.—Approved of by the plaintiffs.

Q.—The line that is now drawn between you—why has that line been drawn?

A.—Because they followed one line of teaching and preaching and practice, and we adhered to the ancient one.

Q.—The line drawn between you is the line between those new practices and the ancient 8080 doctrines and practices?

A.—Most decidedly.

Q.—Would you explain what difficulties you find in restraining these practices and correcting them?

A.—By clamor, and I don't know that it would be going too far to say, by bullying they got control of our meetings; by clamor and by putting us down in every way that they possibly could, they contained control of our meetings for discipline and worship also. If an appointment was to be made in our meetings of discipline, they would immediately put on their own members as far as they could.

Q.—And the line between you was a distinct line?

A.—O, it was most decidedly a distinct line.

8090

Q.—Even before the new discipline of '80? A.—Yes.

Q.—Then I suppose that didn't come about all at once?

A.—No, it had been growing for several years, but it never really broke out at Westlake until Elwood Scott is there; now nearly nine years—no eight years. It was in the winter of '75 that he was first there.

Q.—And it was then that these differences broke out manifestly. A.—Yes.

Q.—And they have been continuing and growing, I suppose. A.—Yes.

Q.—Until when? A.—Until now.

Q.—Until there was a separation ? A.—Well, they continue yet.

Q.—The difference continues till now ? A.—The difference is still existing.

8100

Q.—But now you meet apart ?

A.—No, not altogether ; since last court we were directed to meet together, but our hour has always been 11 o'clock of the first days, and consequently we met then, and on fifth days then we met together at 10 o'clock ; they altered since we separated ; they have altered the hour on the first days.

Q.—To what hour ? A.—To 10.

Q.—Do you recollect the Yearly Meeting '80 ? A.—I wasn't there.

Q.—Well, when did you first hear of the introduction of this new Discipline ?

A.—Not until my wife came home from there ; I wasn't even aware that the New York had issued a new discipline.

Q.—Until your wife came home from the Yearly Meeting ?

8110

A.—Until my wife came home from the Yearly Meeting '80 I was not aware that the New York Discipline, that New York had a new Discipline, and she informed me that there was a new Discipline New York Yearly Meeting imposed upon the meeting.

Q.—And that is the first you heard of it ? A.—That was the first I heard of it.

Q.—You were not appointed a representative at that time ?

A.—No, I have not attended a Yearly Meeting from '79 to this last one.

Q.—Prior to '78 had you attended the Yearly Meetings regularly ?

A.—Not regularly ; there were several that I was not able to attend, but I attended most of them ; I was there in '67 when it was first opened.

Q.—Now, you have heard the account that has been given here of the way in which the discipline was imposed, as you say, upon the meeting ? A.—Yes.

Q.—Now, what do you think of what the clerk did on that occasion ?

A.—I think he acted in a most irregular manner.

Q.—You have heard it stated that there was a great deal of opposition expressed by members to the passing of the discipline ? A.—Yes.

Q.—Some proposing that it should stand over for another year and some objected to it altogether, and that the meeting was nearly equally divided ? A.—Yes.

Q.—Now, what is your opinion of what their clerk did on that occasion ?

A.—I think he acted in an irregular manner according to our constitution—in a very illegal manner.

Q.—What is requisite in order to authorize the clerk to put down anything as to the judgment of 8130 the meeting ?

A.—Just what it has been described. I can go over it the same as Adam Spencer, and my wife and Matilda Branscombe has given evidence with respect to it. Mine is precisely the same, namely, that if there was anything like an opposition, that there never should be anything carried.

Q.—That has been the practice of the church ? A.—That has been the practice I believe I can safely say from the first rise of the Society until now, lately.

COURT.—When there was any opposition, the matter in hand was adjourned ?

Q.—It was either laid over or else upon further discussion entirely dropped. I have known things dropped—small matters.

By MR. BETHUNE—

8140

Q.—What would you do where the clerk made a minute of the thing being carried when somebody in the meeting thought it hadn't been carried. What ought you to do in a case like that ?

A.—I should consider that it was not a proper minute nor a legal minute at that meeting.

Q.—What ought persons to do who hear it read there as part of the minute, and what ought people to do who are there and hear it read if it is improperly entered ?

A.—They should express their disunity with it.

Q.—When you found they were not expressing their disunity with it you would think they had yielded, wouldn't you ?

A.—Not in all cases—very far from it.

Q.—How would you know they hadn't yielded ?

8150

A.—Because sometimes the meeting, as I have seen them lately, the meeting would be so overborne that those who hadn't unity with it would hesitate about expressing any more disunity than what they had already done.

Q.—Then the effect was that they had made up their mind to allow it go ?

A.—When they had expressed their entire disunity with it ; they couldn't be said to be a consenting party.

Q.—Now, you knew that these things were going on in the Society for some years, at all events as much as 8 years ago I think you said ? A.—Yes.

Q.—Then for 5 years at all events, down to the time of the separation, or 6 years. you took no step at all towards getting the yearly meeting to put things right ?

8160

A.—I think we did.

Q.—What did you do ?

.—In the first place they attempted to put out the clerk that had served us so faithfully, and we strongly opposed that; they brought in a clerk of their own.

Q.—What clerk was that?

A.—Adam Spencer; he was the first clerk we had, and he was in until the year '76 or '77?

Q.—When he was put out?

A.—Then they had strength enough then to put him out.

Q.—They put him out of the body? A.—No, not till '78.

Q.—In '77 they put him out from being clerk? A.—I think it was.

8170

Q.—And you were offended at that?

A.—You may call it offended; of course we expected nothing less, for two years previous, in the year '75, the representatives whose business it is to choose the clerk, had to report that they can't agree, and consequently the old clerk retained the office; I understood it was the same at '76, but I wasn't there.

Q.—Well, then in '78 you found they had put your Friend Adam out of the body?

A.—Clerk.

Q.—And after that you didn't make any attempt to resist these changes?

A.—I have not attended since '78.

Q.—For you didn't make any attempt to resist these changes?

8180

A.—I have not attended since '78, for they have acted so illegally that I got disgusted and left the meeting and went home.

COURT.—I understood you to say that application was made, you think to the Yearly Meeting, in regard to these differences—is that so?

A.—The differences existed in the Yearly Meeting when I was there in '75.

Q.—Did you make any formal application to the body in any to redress these wrong practices?

A.—No, nothing more than to labor privately with some of them.

Q.—Were you an elder? A.—No.

Q.—But of course, any member can do that?

A.—Yes, if he is concerned to do so, and feels hurt at the innovations.

8190

Q.—Then not getting any satisfaction from them, did you make any formal complaint either to the monthly or preparative about these practices?

A.—No, not a formal complaint ; we spoke to the elders, some of us.

Q.—But not getting any satisfaction from them, did you make any formal complaint to any of the meetings ?

A.—They were unable to afford satisfaction, because they were, as they considered borne down by these people with clamor and headstrong.

Q.—Why didn't you carry it up to the next highest tribunal—the Quarterly Meeting ?

A.—The Quarterly Meeting has nothing to do with the carrying the discipline in the Monthly Meeting, unless they go directly contrary to it.

S200

Q.—Why didn't you apply to the Monthly Meeting then in reference these practices ?

A.—That is not the proper mode of doing it, to apply to the Monthly Meeting ; there are overseers and elders, when the minister or any one else strays in teaching and preaching or anything of this kind, the elders are the proper ones to apply to ; if a member commits a known offence, either against the discipline or morality, the overseers are the proper ones to complain to.

Q.—In matters of doctrine, if elders don't do their duty, haven't you a right to apply to the Quarterly Meeting or Board of Ministers and Elders ?

A.—Not to the Quarterly Meeting.

Q.—Would you have to the Board of Ministers and Elders ?

A.—I have spoken to the elders concerning it ; I couldn't bring it before their meeting.

8210

Q.—Why ?

A.—It is not according to the discipline nor according to the practice.

Q.—Then you were making some attempt on the occasion of the trouble between you and Noah Maclean to resist these practices—were you ?

A.—There were some Friends met at my house, I think it was ; yes, I am pretty sure it was my house, and it was considered that these things were doing so much harm that something must be done to arrest them.

Q.—And when you went there you read a notice, I believe at the meeting, protesting against it ?

A.—It was decided that the trustees, as we considered ourselves then, and myself—Edward Cronk and Vincent Bowerman were considered to be the trustees there ; I drew up a paper ; I have a copy of it with me—paper not produced—I can state what the tenure of it was ; it was, saying that the trustees of Westlake Monthly Meeting, hereby forbid Noah Maclean and Joseph Radcliff from holding meetings in our meeting house ; that was the tenure of it ; forbid them from holding meetings in our meeting house ; that was the tenure of it

Q.—These men had brought a minute from the Yearly Meetings to which they belonged to you ?

A.—Yes.

Q.—And you had accepted them? A.—The Monthly Meeting had accepted them.

Q.—And they got a return minute?

A.—Yes, they did, contrary to my protest.

Q.—And the clerk signed the return minute? A.—Yes.

8230

Q.—Eliza Varney, among the rest, she was the clerk of the women's meeting?

A.—I don't know who the clerk was.

Q.—Now, some difficulty occurred, and to save time I will read you what you swore to before the master as having occurred at that time, (reading to witness what he said on examination before the master,) that took place just as you say? A.—Yes.

Q.—Well, it was after that that Noah got his return minute, wasn't it?

A.—No, it was before that.

Q.—What was he doing there without a minute?

A.—When a minister grants a minute, he doesn't held the minute at every meeting.

Q.—He had got the return minute after that?

8240

A.—No, I was before that, certainly it was, that I know; he got the returning minute at the meeting, monthly meeting, in the 7th month after the Yearly Meeting—the first monthly meeting after the Yearly Meeting when he came there; I was present and protested and objected to his getting a returning minute.

Q.—I suppose you made a good deal of noise; you were a good deal excited about that thing?

A.—I was just as calm as I am this moment; I can say that on my affirmation—I was until Robert Saylor assaulted me.

Q.—He thought you were assaulting Maclean?

A.—No, it was after I got a part of the way out, he got hold of me and held me by the shoulders, and I told him to let me go two or three times, and he still didn't, and I jerked myself loose, and put my hand on him and shoved him back again the seat and walked out.

Q.—Your wife wasn't there that night? A.—No.

Q.—So that I don't wonder she heard this noise over at the house?

A.—That was not the time.

Q.—Sure?

A.—I am very sure it was not the same, it was not the time, because she was in bed when I was home and that was not the night; it was before that at one of his meetings that we did it up at our house.

8250

MR. PENNYWORKS—Sworn for defendants, testified as follows :—

By MR. ARNOLDI:

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Q.—You are a member of the Society of Friends ? A.—I am.

Q.—How long have you been a member ? A.—From my birth.

Q.—What monthly meeting do you belong to ? A.—Coldcreek.

Q.—Have you been aware of any new teachings or practices being introduced into the Society of late years ? A.—I have.

Q.—Take the matter of teaching the doctrines, can you specify any of them ?

A.—I can ; the first doctrine I would take would be faith.

Q.—Has there been anything new introduced on that subject, and by whom and when ?

A.—The first man that I noticed particularly in his definition of faith was Wm. Barker.

Q.—Spoken of here already to-day ? A.—Yes.

8270

Q.—He came from Norwich ?

A.—Norwich ; somewhere's up that way ; he expressed himself that faith was a natural power—a part of our nature very different to our teaching ; we hold that faith is a gift plainly described in Barclay's theology.

Q.—When you say he described it as a natural gift did he go any further and explain that ?

A.—He explained it as a natural power, a part of our nature ; a faculty of the mind to be exercised at will at any time.

COURT.—But the orthodox doctrine is that it is a gift ?

A.—Yes, and also a new birth ; he argued that God had reconciled the world to himself by Jesus Christ, and all we had to do was to accept the finished work and believe that our salvation was complete in which he was bearing the Cross for us, whose righteousness had been imputed to us, I have heard him make utterance to those very words. 8280

Q.—Did he enlarge upon that last doctrine ?

A.—He did ; I attended one of his revival meetings at Cold Creek held some three years ago, I think, or nearly that—two years ago last winter, and when he was exhorting he had a penitent bench, or invited them forward to seats—a place for that purpose, and when he was exhorting sinners to come forward he would tell them that the Scriptures didn't say to feel of the Lord Jesus Christ, but to believe on him, and that we didn't have to wait to feel that we were sinners, that we had a natural intelligence sufficient to teach us that we were such and to come right along—contrary to Friends teaching, this mode of coming to Christ—right in variance to the Friends teaching ; they adopt the in- 8290

junction of Our Saviour who plainly declares that no man cometh unto the Saviour, unto the Father, but by me, nor no man cometh unto me, except the Father who sent me first draw him; we have got to come by the drawings of the Father to the Son and to the Father by the Son.

COURT.—That is orthodox doctrine?

A.—That is the orthodox doctrine; the other we consider is an innovation.

Q.—Well, any others?

A.—He would kneel down by the side of these individuals who would come forward seeking for salvation, and he would tell them, now we have not got to wait to feel that we are saved, Christ finished the work on Calvary, all we have to do is to accept this and believe, and we are saved that moment; he says we must not believe that we are saved because we feel it, but because the Scripture says so; Christ said he finished the work of man's redemption; and it was not to be because we had 8300 any evidence within ourselves of our acceptance with Christ, but merely through the historical knowledge that we had received by parental education perhaps, or by hearing.

MR. BETHUNE.—Are you giving the very words? A.—I am.

MR. ARNOLDI—Continues—

Q.—Was there anything on the doctrine of the inward light?

A.—Yes, I heard Wm. Barker speak very definitely one day in our first day meeting; he took up different points of doctrine that day, and one was inward light; he spoke very diminutively of George Fox and his teachings, and he says there are some people who pretend to have a little something in here—in the heart—to lead them—some people who pretend to have a little something in here—in the heart to lead them right and help them in the way of salvation; he says Friends this is a little non- 8310 sensical nothing, I consider it a hellish doctrine—a doctrine that came right out of the pit of hell.

Q.—What was the doctrine of the Society on that subject?

A.—I expect he had particular reference to what Friends call "the inward light," more definitely described in Hebrews as "the oil of the new covenant;" the oil of the spirit of Christ, the spirit of life that is in Christ Jesus, that which sets us free from the oil of sin and death; it was not by this that we received any convictions or it was not by the workings of the same power that we were saved or rejected or born again, but by an historical knowledge that we had received through the ministry, or perhaps reading the Scriptures, or perhaps parental teaching, that the finished work of Christ, all that we had to do was to accept this and believe that our salvation was complete in this, not by any experience or feeling; he seemed to throw feeling aside entirely.

8320

Q.—Then as I understand you the inward light he speaks of is this inward experience?

A.—The inward light is more particularly defined in Hebrews as being the oil of the new covenant, and it is also referred to in the standard writings of Friends as such.

Q.—Was there anything on the doctrine of sanctification he preached peculiar?

A.—I saw him at the same bench invite those who had been professors of principles for some years, had some religious experience ; it was a kind of union meeting between the Methodists and these Friends and there was some Methodists that came forward to be sanctified ; and he went on the same as in conversion ; he taught that after he would kneel down beside these and told them that this sanctification of the spirit was received in the same method as conversion ; he taught it as a secondary experience.

Q.—Something following conversion ?

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A.—Yes, separate from conversion—very different to Friends' teachings ; and he also told them that all they had to do was to pray for it, of course—pray for sanctification of the spirit and just believe that they had got it, not because they felt anything different from what they ever felt before, but God had told them whatsoever they prayed for they would receive it—where two or three were joined and teaching upon one thing what should be done, they were unitedly in prayer, and they then received the sanctification of the spirit, not because they felt it, nor because it was any part of their experience, but not because the Bible said so.

Q.—Now, were there any other new doctrines that you could mention to us that they preached ?

A.—Yes, I have also heard the same individuals and heard numerous other individuals.

Q.—It is Barker you have been speaking of ?

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A.—It is Barker I have been speaking of, and more particularly on this system of teaching.

Q.—Who else have you heard preach these same doctrines ?

A.—O, I have heard Charles Gideon Bowerman teach the same doctrine.

Q.—On all these points ?

A.—Yes, I heard Elizabeth Garrott preach the same—well, I wouldn't say on every point, I have heard her speak on the same belief, on believing on the finished work.

Q.—On which point did you hear her speak ?

A.—On the finished work, and she also set her seal to the sanctification.

Q.—Is she a minister ? A.—She is a minister.

Q.—Where is she a minister ?

8350

A.—She is a minister at the present time in the Plaintiff's body.

Q.—Of what monthly ?

A.—Cold Creek Monthly Meeting.

COURT.—You have heard her teach the same about sanctification ?

A.—I never heard her teach the same on sanctification, only one time when I was talking to her about it, she said she couldn't find any fault with that talking to her about it she said she couldn't find any fault with that teaching and reproved me for doing so.

Q.—And the others ?

A.—She reproved me for every opposition I made to those teachings.

Q.—You say she is a minister of Cold Creek Monthly Meeting of the plaintiffs' body ?

8360

A.—Yes.

Q.—She said she couldn't find fault with these teachings ?

A.—She couldn't find fault with these teachings of Mr. Barker—Wm. Barker.

Q.—Did you converse with Mr. Bowerman about these , or did you hear him preach, Charles Gideon Bowerman ?

A.—I have heard him teach it in public on this faith, more particularly faith as a natural power to be exercised.

A.—Anything about instantaneous conversion ?

A.—Yes, the moment we accept Christ's finished work and believe that we are saved, that moment we are saved.

8370

Q.—That of course follows almost from what you have told us in relating others ? A.—Yes.

Q.—Well, did Charles Gideon preach the whole of this doctrine ?

A.—Yes, he preaches that same doctrine.

Q.—At the present time ?

A.—I have not heard him for two years, for about that time.

Q.—You only speak since that, from what you understand from others ?

A.—Yes. O, I expect he teaches the same.

Q.—Have you spoken to him since ? A.—Yes.

Q.—Within the last two or three years ?

A.—Yes ; I shake hands friendly when we meet each other.

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Q.—Have you had conversation since about this ? A.—No conversation since.

Q.—Two years ago you yourself used to converse considerably ?

A.—Yes, I used to converse considerably, but not agreeably.

Q.—You differed ?

A.—We differed in a great many points—doctrinal points.

Q.—Are there any other persons you heard preach these doctrines or other doctrines strange and peculiar ?

A.—Not these doctrines ; I heard Wm. Allena, a minister I expect of the plaintiffs' body.

Q.—What monthly meeting is he from ?

A.—I think then he had a certificate of removal to Mariposa, if I am not mistaken, belonging to 839 0 Yonge street, formerly from the States somewhere.

Q.—Where did he get his certificate from ?

A.—I think somewhere from the States ; he had an extensive certificate.

Q.—When did you hear him ?

A.—In Huntington meeting house ; I wouldn't be sure how long ago, but perhaps 3 years.

Q.—Where is Huntington ?

A.—It is a preparative meeting—Cold Creek monthly ; he was speaking on repentance ; he preached repentance, Wm. Allen preached repentance ; he pretended to preach repentance, although he held this new system of faith, and he was preaching very loudly one night on repentance, and he stopped in the middle of his sermon and he says, what is repentance ; he asked the question to the audience, and he answers, why, he says, repentance and conversion, he says, is pretty much the same thing ; repentance, 8400 he says, is only turning point, now, he says, to make it plain I will draw an illustration ; he held his arm up and he says, we will say this is starting point in man's, this way leads to heaven and this way goes to hell ; here man starts, and it is most natural for him to go down hill ; he starts and goes down and down until he comes away down and steps of the place and begins to smell brimstone—that was the very words that he used, and to be as brief as possible, if the Court can harmonize that with any of the teachings contained in the standard writings of Friends, why we will call it orthodoxy.

Q.—But you don't call it orthodoxy ? A.—I don't call it orthodoxy.

Q.—You mean he will have to retrace his steps ? A.—Yes.

Q.—Have you heard any one else preach these words

A.—I heard the same man bear testimony against the Cross ; he said the Christian had no Cross ; I 8410 have heard Charles Gideon Bowerman teach the same thing, that the Christian has no Cross.

COURT.—What did he mean by that ?

A.—There is no such thing as a Cross to the Christian, for the Christian to bear at any time.

Q.—What is the illustration of that ; was any illustration given of it, so that it conveyed more meaning than the words do to the mind ?

A.—Well, he more particularly spoke about—in revival meetings exhorting them to come right up and speak ; he said they didn't have to wait ; he could speak any time, and he said if the natural will of man was entirely slain entirely, there was no Cross to do anything ; this was their teaching—quite in variance to Friends teachings ; he based his argument on this, that if our wills were slain, that there was no such thing as a Cross to bear.

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Q.—That is to say, we would be obedient ?

A.—Yes, well I advanced the argument more particularly with Charles Gideon Bowerman in his teaching, and also Elizabeth Garrot, that if there was no Cross there was no temptation, that when we

were tempted to do anything, inconsistent with the will of God by Satan that there we must take up the Cross, and must bear the Cross against sin in all its movings, and I contended here that there was a Cross to bear, for the Christian to bear; but if there was a station to be attained to, that we could stand upon that we were never tempted, I would then admit that there would be no such thing as a Cross.

Q.—Now, were there any other?

A.—I have heard Elizabeth Garrot teach privately that there was a standing, that we could be brought to in Christian experience, a platform as it were to stand on in Christian life, so high that it was impossible for Satan to tempt us in any way; she said she hadn't been tempted for years—quite different to Friends teachings.

Q.—Now, are there any other ministers or people that preached wrong doctrine that you know of? A.—I have not heard.

Q.—Have you heard Blackledge? A.—No, I never heard Blackledge.

Q.—Or Kenworthy? A.—Nor Kenworthy.

Q.—Luke Woodward?

A.—I heard Luke Woodward in Bloomfield Monthly Meeting; he was trying to make bear the impression that Friends had; he said that William Penn taught that the Bible was first and the Spirit secondary, placed the Bible ahead of the Spirit—right in variance to any of the teachings and any standard writings.

Q.—At variance with William Penn himself?

A.—Yes, right in variance with William Penn himself.

Q.—This was at Bloomfield?

A.—Bloomfield; he had a piece of paper—an extract out of some of William Penn's writings, and I referred him to every sentence, right there in the Monthly Meeting, and he dropped the subject, and went on to something else.

Q.—When was this? A.—This summer.

Q.—At the meeting house in question? A.—Yes.

Q.—What meeting was going on then?

A.—Monthly Meeting of Friends; the first monthly meeting after they were ruled back together.

Q.—That is when the meetings were held together after the first trial?

A.—Yes, the first meeting.

Q.—Was it while the plain'iffs party were doing their business or holding their meeting?

A.—There was no business done at that time; it was the public meeting of worship.

Q.—You are aware, I suppose of what has been shown here, that the defendants waited till the rest parted?

A.—They didn't at that time; at that time when the meeting of worship closed, it closed abruptly on account of these Friends, the spirits of the two bodies could not amalgamate and couldn't agree, so 8460 that the meeting broke up in confusion, and one of our Friends rose and said that the time had come to proceed to business, and the shutters were re-opened, and they proceeded to close them, and Luke Woodward and Charles Gideon climbed over the top of the partition that separated the men's room from the women's room, and we went on through the business, and I don't know how the women got along; I expect they had a pretty hard time of it.

Q.—Was there a crowd in there?

A.—There was quite an uproar in there; the clerks proceeded to read the opening minute and I heard Robert Saylor—I knew his voice—protest against it several times; this took place this summer.

Q.—You have spoken about all these doctrines—you mentioned the penitent bench? A.—I did.

Q.—Was that a new thing or an old thing? 8470

A.—That was a new thing; something I never saw before?

Q.—In accordance with Friends practices?

A.—Not in accordance with their practices or teachings any where I ever saw.

Q.—Was there any other practice they introduced; we have had the reading of the Scriptures in meeting and singing—were these introduced?

A.—They were.

Q.—Were they according to the Friends' practice?

A.—I never knew anything of the kind; I must relate a little, but further in regard to singing—I saw William Barker ask the whole congregation to stand and sing the benediction, sing the doxology and say the benediction; he done that repeatedly; when he would be talking about it, he would say, 8480 he would ask the congregation to sing and he said, there has not been half the singing enough here to-night—can't somebody sing?

Q.—Asking them as a congregation to sing? A.—Yes.

Q.—I understand you to say that was contrary to the Friends' teachings? A.—Yes.

Q.—We have also mentioned here the invitation to members and others to relate their experience and what God had done for them? A.—Yes.

Q.—Did you hear anything of that sort? A.—Yes, I saw that repeatedly.

Q.—By whom? A.—Wm. Barker.

Q.—Anybody else? A.—By some members of that same particular meeting.

Q.—Was that in accordance with the Friends teachings in any way ?

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A.—No, not in accordance with Friends' teachings ; if they speak, they speak as the oracles of God, and are moved by the spirit.

Q.—You belong to the Society of Friends, what discipline do you acknowledge ?

A.—I acknowledge the discipline of '59.

Q.—Were you at the meeting of the Canada Yearly Meeting in '80 ?

A.—I was not, I don't think I could be any evidence on that point.

Q.—You, of course, have studied the new discipline in connection with the old ?

A.—I read it through when it was handed down to the Yearly Meeting for approval ; I read it through.

Q.—Is it a simple matter to apprehend the effect of it, as compared with the old ?

8500

A.—It is simple enough for me.

Q.—What do you find so simple in it, what is the result of your consideration ?

A.—Well, there is particular additions that these Friends take advantage of, and there are particular diminutions that they take advantage of ; I think where there is the addition or diminution it is calculated for a certain point—they wanted to make a certain point in these things, a point that they couldn't make under the old discipline.

Q.—Do you find any similarity between the two in language ?

A.—There is a similarity that could be construed to the same thing, but on account of certain diminutions and certain additions these individuals calculate to make certain points so as to introduce innovation and false teaching.

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Q.—What do you mean by that, is that it is carefully drawn so as to admit of these things ?

A.—Yes, it is carefully drawn.

Q.—To give color to the new practices ?

A.—To give color to certain innovations and certain doctrines.

Q.—Does it give color to any of these things we have been speaking about ?

A.—I think it does.

FRIDAY, 9:30 A. M.

MR. MACLENNAN intimates that the Defendant's case is closed.

PLAINTIFF'S REPLY.

LUKE WOODWARD—Sworn for plaintiffs, testified as follows :

8520

By MR. BETHUNE—

Q.—You are at present residing in the city of Toronto ? A.—I am.

Q.—You are a minister of the Society of Friends ? A.—Yes.

Q.—When were you acknowledged as such ? A.—I think it was the year '62.

Q.—And by what meeting ?

A.—New Carden Monthly Meeting, in the limits of Indiana Yearly Meeting.

Q.—Have you been a minister since that time ? A.—I have.

Q.—From '62 ; how long did you remain within the limits of the Indiana Yearly Meeting ?

A.—Until a year ago the 16th of this month, when I came to Toronto.

Q.—And did you bring any minute from your monthly meeting to the monthly meeting here ? 8530

A.—I brought a certificate of membership for myself and family, two children ?

Q.—And you have been a minister most of the time since in Toronto ?

A.—Yes, I have been out of the city in different places most of the time.

Q.—Most of the time in Toronto ? A.—Yes.

Q.—Are you familiar with the other yearly meeting in the United States ?

A.—Considerably so ; I have travelled within the limits of all of them and I have attended the sessions of all the yearly meetings except Kansas ; I have travelled considerably within the limits, but haven't attended any of its sessions—its yearly meetings.

Q.—Are you familiar with the usages and practices of the Society in all these yearly meetings ?

A.—I think I am.

8540

Q.—Now, I understand that the Society of Friends is one the world over, there is unity between them all the world over ? A.—I so understand it.

Q.—Were you present at the time the New York Discipline '77 was under consideration ; present at their yearly meetings ?

A.—I was present at more than one yearly meeting when they were considering the discipline ; they had it before their yearly meeting more than one year ; as to whether I was present at that meeting my memory is not sufficiently good.

Q.—But were you present at the time it was being considered ? A.—Yes.

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Q.—Is the New York Yearly Meeting the largest, or is it so large as some others in the States ?

A.—Not so large by a good deal.

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Q.—Do you know how long this discipline of '77 was under consideration before its final adoption ?

A.—I couldn't speak positively ; I think it was under consideration two or three years.

Q.—Then how was that ; was it by the body at large or by a committee that it was framed ?

A.—To the best of my recollection sent to their representative meeting.

MR. MACLENNAN—Are you speaking now from personal knowledge ?

A.—I was present when the matter was considered, and reported to the Yearly Meeting and referred ; that is my recollection about it.

Q.—You were present just on one occasion ?

A.—I was present on more than one occasion, more than one Yearly Meeting.

Q.—You weren't a member of that New York Yearly Meeting ?

8560

A.—I was invited ; I think at one time I was referred to a committee, whether it was a committee or members of representative meeting.

Q.—What was done in the matter of record, recorded in their minutes, that is the way they act ?

A.—I suppose so.

MR. BETHUNE—Continues—

Q.—Were you a member of that Yearly Meeting while you were there ?

A.—No, not a member, as we generally speak of being a member ; I was accredited to that meeting by a certificate of membership.

Q.—And your certificate was received and acknowledged there ?

A.—I was invited by the committee to sit with them during their deliberations on the revision of 8570 discipline, on one occasion.

Q.—And I suppose you have a knowledge of the various steps from time to time taken until it was finally adopted ?

A.—Measurably so—yes.

Q.—Now, in that report of committee were there men of high character for learning, and so on amongst the body ?

A.—I should consider them so ; men that had character for learning good disciplinarians—what we might speak of as foremost men in our Society.

Q.—Do you know whether the disciplines in the other yearly meetings have from time to time been revised ?

8580

A.—The discipline of the Indiana Yearly Meeting, of which I was a member always, till I came to this, has been revised three several times, and since I was old enough to participate in the meeting—in the business of the meeting, once in '54, and then again in '64, and then again in '78, and I have copies of all those editions in my possession in this city.

Q.—Do you know whether revision has taken place in the other Yearly Meeting ?

A.—I have been present at Iowa, at Western, at Baltimore and North Carolina, when they were considering the question of revising the discipline.

Q.—And according to the usages of your Society, what body is it that makes the revision ; which of the meetings ?

A.—I can speak more particularly with reference to the Yearly Meeting of which I was a member ; 8590 it was referred in that case to a committee appointed in the Yearly Meeting.

Q.—What body, I mean, ultimately passes it ?

A.—It is passed by the Yearly Meeting itself.

Q.—Then the Yearly Meeting, I understand is the chief legislative body of your Society ? A.—Yes.

Q.—As well as the last Court of Appeal for the Society ? A.—Yes.

Q.—Now, something was said yesterday about you being a hired minister, and I want to clear that up, "hireling minister" I think was the expression that was used, and they speak of that as something opposed to the tenets of your Society ; tell me whether that is the fact ?

A.—I don't consider myself hired to preach the Gospel.

Q.—Will you explain what the habit of your Society is as to providing food and raiment or sup- 8600 port for persons who have no means of their own, and who are entirely engaged in the ministry of the Gospel in your Society ?

A.—It is made the duty of meetings to supply the necessary fund for carrying on the work of a minister—at least, it is so in some of the disciplines—in the discipline of Indiana.

Q.—Apart altogether from any direction in the discipline, what is the custom or habit or usage ?

A.—Well, it is sometimes done ; to say that it is always done, of course, I couldn't say that it always is done, but it is sometimes done.

Q.—Sometimes, I suppose the minister has means of his own and is able to live, but where they are not, where they have no means of their own, and are entirely engaged, who supply them ?

A.—The church is supposed to do so.

8610

COURT.—It is the duty of the meeting I understand, to supply means to carry on the ministry ?

A.—Yes.

Q.—Then has any agreement been made between you and the congregation to which you are ministering to give you any stated salary or anything of that kind?

A.—The agreement extended so far that they assured me they would see to my temporal wants, if I felt it to be my duty to come and reside in their city.

Q.—Are you possessed of means of your own, apart from your farm, which I understand is in Indiana?

A.—No, I am not.

Q.—And you have a family? A.—I have a family.

8620

Q.—Then what do you get towards the support of your family?

A.—Well, speaking for the year that is passed—

A.—I don't mean the amount; do you get any stated sum to begin with, at all; is there any fixed sum that you are to get or anything of that kind?

A.—There is no definite sum fixed.

Q.—What do you get; just the offerings of the people, that they choose to give you?

A.—Voluntary offerings.

Q.—Are you bound to remain there any fixed time at all, by arrangement I mean?

A.—When the matter of my coming was talked over between myself and some of the Friends who reside there, I told them I felt it to be right to come, provided the way was made by which I could come, 8630 but I wanted it distinctly understood, I was not to be bound, so that if I felt it to be my duty to go in the service of the Lord elsewhere, I should be at perfect liberty to go, and since being there I have once made a ministerial visit in the State of New York, and this last summer again to New England Yearly Meeting, and some service within its limits, besides some neighboring meetings in this Yearly Meeting.

Q.—Now, is there anything, "as you understand the discipline and usages of your Society," is there anything in the nature of the arrangement that you have made that is in the slightest degree contrary to that usage or discipline?

A.—I think it is in entire harmony with the teaching of our early Friends, and I will read an extract I have here from the writings of Friends; George Fox addressed the Protector and Parliament in 8640 1868, and this is an extract which I have copied into the blank leaf of my Bible; I have not taken the page, it is taken from the "Friends' Review," July 9th '82, you be such as propogate the Gospel, which Gospel is the power of God; as for maintenance and means of ministers, leave that to the people, and see if the teaching of that will not so open their hearts—the hearts of the people as to lay down their possessions at the feet of the ministers, and then I have a short extract from Edward Burrow, contemporary with George Fox—if all people were left free to hear, and approve of whom they would, to pay

and maintain them ; this would try the ministers who converted the most to God and gain the love of most people ; the ministers who are not content with his law are out of pure reason and equity showing that they dare not trust the Lord, but in equity and justice, let every minister be maintained by the fruit of his own labor ; by this law people may know and may understand the ministry and ministers, 8650 and how the ministers ought to be maintained.

Q.—Now what is the rule as to anything passing yearly meetings in your in your society ? Do you require what is called unanimity that is, most everybody present join in it or what is the rule as to that ? Is there any rule in your body which requires unanimity at yearly meetings to pass anything ? By unanimity I understand the entire acquiescence of everything every person present ? Every person who is their ? A.—I know of no such rule :

Q.—Well what is the practice as to the passing things which may be opposed by a smaller or a larger number of those present ?

A.—The practise in meetings which I have attended has been often for the clerk to take what he terms the sense of the meeting by judging to which was the prevailing expression, and it is so recorded 8660 as the judgment—the meeting comes to the judgment so and so :

Q.—Well, now, does that prevail at every meeting you have attended—every yearly meeting I mean?

A.—I know of no exception. Speaking of the matter in point, the adoption of discipline, it was quite so in three different times when the discipline was revised in the Indiana yearly meeting.

Q.—Well, about how many people are members of your Indiana yearly meeting ?

A.—At this time it was about 20,000.

Q.—And about how many ordinarily attend ?

A.—The business session I should place at from 500 to 700 men and women.

COURT.—That in at the yearly meetings ? A.—Yes.

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Q.—Well, would it be practicable, do you think possible, to get entire unanimity as to anything such as discipline is so large a number and so large a deliberative body as 500 or 700 ?

A.—I should think it would not be practicable.

Q.—Then, as I understand, it is the sense, or judgment, or prevailing sense or judgment, or what is the word you use ? A.—The prevailing judgment or sense—they use both words.

COURT.—The prevailing opinion of the meeting ?

A.—The clerk don't record it in that way ; he records it as the judgment of the meeting when he has taken what he considers it ; he may sometimes put in a word that it is the prevailing judgment, but usually the meeting comes to the judgment.

Q.—Entries are ordinarily made in that way ? A.—Yes.

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Q.—Whenever an entry is made and the minute announced, what, according to the usages of the body, is the effect of that?

A.—It is considered binding and adopted by the meeting. I have known a few instances where in the business of a yearly meeting, the matter about which there had been a difference of opinion and expression, was called up at a following sitting and re-considered.

Q.—But that was strictly a re-consideration of what had been adopted?

A.—Yes; that is very rarely done where I have been present.

Q.—Would it be possible to carry on the affairs of the society upon any other basis or rule?

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A.—I can't conceive how it could be done otherwise with the variety of opinions that persons are known to hold.

Q.—Now, a good deal was said yesterday about the doctrinal unsoundness of certain persons; do you know any of them whose names were mentioned yesterday yourself, except Kenworthy?

A.—I know Amos Kenworthy, and I know Elwood Scott, and I know Noah Maclean and Joseph Blackledge.

Q.—Now, which of these do you know the best?

A.—Elwood Scott and Amos Kenworthy; Elwood Scott, I think, has all his life been a member of Indiana Yearly Meeting; Amos Kenworthy very much of his ministerial life—he is now a member of the Indiana, and I have been associated with them considerably in Gospel work.

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Q.—Are they still members in good standing of the Indiana Yearly Meeting?

A.—I know nothing to the contrary.

Q.—Now, the Indiana Yearly Meeting is at unity with all orthodox body, all the orthodox body throughout the world; isn't it?

A.—I think so.

Q.—The English, Irish and the other American bodies? A.—Yes.

Q.—And have you a body of separatists in Indiana? A.—Yes.

Q.—And when did they separate—that body?

A.—I don't I would give the exact date.

Q.—About what time?

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A.—I should think it was about the year '77; I would not be positive about that.

Q.—Now, the day before yesterday I got from one of the defendants "E. I." an epistle signed by Paul Stanley, I want to see if that is from the separatists or from the regular?

A.—Pomelia Stanley ?

Q.—Is that from the separatists body or the regular Indiana body ?

A.—I know such—I know no such individual as Pomelia Stanley.

Q.—The Indiana is the Western ?

A.—No, there are two Yearly Meetings in Indiana ; the one is called Indiana, and the other being west one established subsequently being west of ours, was simply named Western Meeting ; it is in Central Indiana.

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Q.—In that “ E. I.” the epistle from the orthodox body in Indiana or the separatists body ?

A.—My own opinion is that it is not from the regular Indiana Yearly Meeting of women Friends that is in unity with the other Yearly Meetings ; I don't know the individual, and I never heard of their having a clerk by that name.

Q.—Do you know whether a separation has taken place in Kansas ?

A.—I know by common report and from the statements of individuals.

Q.—Then has a separation taken place in Iowa ?

A.—We know it as we know other matters—matters of current report.

Q.—Do you know it as a member of your body what took place in your Yearly Meetings, and so on.

A.—I don't think we had anything that purported to be an official statement or document ; when I 8730 was present I don't remember anything of that kind ; I have been absent from the Indiana Yearly Meeting the last two.

Q.—Now, you have attended a Yearly Meeting in Canada—plaintiffs Yearly Meeting in Canada in '83 ? A.—Yes.

Q.—Now, some evidence was given as to some alleged raid you have made upon the women's meeting ; tell me what that was climbing over the shutters or partition—what is the fact about that ?

A.—At the Monthly Meeting at Bloomfield.

Q.—Tell me what the fact was about that ?

A.—I think it was in the 4th month ; it was in the spring any way.

Q.—Were you there on more than one occasion ?

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A.—I was ; I think it was in the 4th month , it was in the spring anyway.

Q.—Were you there on more that one occasion ? A.—I was.

Q.—Tell me, now, what occurred in reference to that ? what gave any color to that statement ?

A.—I was in attendance at the monthly meeting at Bloomfield, and the defendants were present at the same meeting. The men occupied one side of the partition and the women the other during the first hour of the meeting, and the time came for entering on the business of the monthly meeting. As our monthly meeting had been in the habit of transacting business jointly, there was no proposal made to close the shutters, and they claimed to be in attendance at their monthly meeting, and as their habit was to transact business with closed shutters, they proceeded to close the shutters. The shutters are close on the floor, what we might speak of as the floor, out sliding from the back part or front part of the room. 8750 and then the shutters on the upper part, where there are two raised seats. It was sitting on the upper seat, being lowered from below, when they were about to close the shutters, and Robert Saylor, I think it was, remonstrated with them against closing them.

Q.—That is, when the defendants were trying to close them?

A.—Yes, and made considerable confusion, but they would not desist, and so our friends passed over the floor. There was no obstruction in the way into the other part of the house—the women's part to hold a meeting in joint session. I was at the end of the bench next the partition, and before I could have gone out through the bench and gone around and passed through as the others did, the shutters would probably have been closed, and in making my egress here I should probably have seen those that were coming up to close the shutters. As to what was the object to lay the partition when the shutters were raised, it 8760 was much more convenient just to step over, which I could do almost as easily as step here, and no confusion at all. I just stepped over and took my seat on the other side, the upper seat on the other side of the partition; otherwise I should have had to have gone the length of the bench and down the aisle, through the vestibule, up the aisle, and the length of the bench and the other side of the partition to get to my seat. Charles Gideon Bowerman being next to me followed me, and we quietly took our seats. no confusion was made, I think, by the act. We did it in as quiet a way—I did myself—as I could possible conveniently do such a thing.

Q.—That, you say, was occasioned by their attempting to close the shutters while your people were trying to hold a joint meeting, that is, men and women? A.—Yes.

Q.—Now, as to the theology of the Yearly Meeting in Canada, do you know of any departure from 8770 the teachings of the early fathers of the Society?

A.—I know of none for which the yearly meeting is responsible.

Q.—Have you yourself at any time taught any doctrine at variance with the doctrine of the Society?

A.—Not as I understand those doctrines.

Q.—Well, you have read the discipline of '59 so far as it contains any doctrine? A.—I have read it.

Q.—Have you ever preached or taught anything at variance with that?

A.—Not that I am conscious of.

Q.—Now, are you aware of any departure from the ancient doctrines of the Society in any of the orthodox yearly meetings which you have attended? I speak of the plaintiffs' yearly meeting and those that were in unity with them?

A.—I suppose I am to answer with reference to what is authoritatively expressed by those bodies ?

Q.—Yes ? A.—No, I don't.

Q.—Now, I think there was some evidence given of some alleged false teaching on your part, given by Mr. Penyurkes yesterday, in which you were stated to have made some statement as to Penn !

A.—As to William Penn I think he mentioned.

Q.—What statement did you make as to William Penn. I think you are able to produce the same statement which you read ?

A.—If I understand him correctly he said that I read or began to read something from William Penn. I did read an extract from William Penn, which I have in a blankleaf in my Bible.

Q.—Is it the same abstract or extract which you have read ? A.—I have the same extract here. 8790

Q.—The same extract which you read on the occasion referred to by Mr. Yurkes ?

A.—The Grace of God within me and the Scriptures without me are the foundation and declaration of my faith any religion, let him get the better who can, for, thanks be to God, that only is our creed, and with good reason, for if comment is made our creed instead of the text, from that time, we believe not in God but in man.

Q.—That is the same extract which you read at this meeting ?

A.—The same extract. I read all of it and read nothing else.

Q.—That is an extract, as you understand, from the writings of Penn ? A.—Yes.

Q.—Is William Penn one of the recognized father of your faith ?

A.—He is frequently referred to as such. I put in what is an extract copy. "H. I." 8800

Q.—Now, have you compared the discipline of '77, the New York discipline of '77, as adopted by the Yearly Meeting, '80, so far as it deals with doctrine, with the discipline of '59 ?

A.—I have quite recently made a very careful comparison of them.

Q.—Putting mere words out of the question, is there any substantial difference between the two in point of doctrine ? A.—I didn't discover any.

Q.—And you don't believe there is any ? A.—I don't.

Q.—And are both, so far as you have been able to ascertain, in accordance with the teachings of the founders of Quakerism ?

A.—The previous question, how was that asked ? The one you asked just before ?

Q.—Putting mere words out of the question, is there any substantial difference between the two 8810 disciplines in doctrine, the one of '59 and the other '77.

A.—The answer which I gave is what I intended.

Q.—Then were both of them in accordance with the teachings of the founders of Society Quakerism as you have learned it? with regard to doctrine? A.—I think so.

Q.—Now according to the usages of the Society, if a minister is found preaching unsound doctrine, is there any way by which his fault in that respect can be brought before the judicatories of the Society?

A.—I think there is a very good way.

Q.—How is that?

A.—The duty of the elder is to extend private care, and if that is successful in removing the diffi- 8820 culty and bringing him to a sense of his error, why that is an end of it—extend the necessary care privately, so as to bring him out of his error, if they are able to do so.

Q.—And if that was ineffectual—what then?

A.—The next step I should think would properly be to report it to the preparative meeting of ministers and elders for their care, and if that was ineffectual, whatever care they might take, the next step would be the Quarterly Meeting of ministers and elders.

Q.—And would it be carried still further?

A.—It could be carried to the Yearly Meeting of ministers and elders without doing so, I presume it would be in the power of the subordinate meetings to displace him from the position of a minister.

COURT. —Are there two Yearly Meetings—one of the body generally, and the other of ministers and 8830 elders?

A.—There are two Yearly Meeting; they are separate organizations; the Yearly Meeting of ministers and elders is a body composed of those that occupy that station; they meet at the same time, that is, hold their sessions during the week of the Yearly Meeting.

Q.—Separate sessions? A.—Separate sessions.

Q.—It is a committee, in fact, of the other—of the Yearly Meeting?

A.—They are subordinate to the other Yearly Meeting—not exactly a committee; it is just a meeting that meets and adjourns, and it meets on its own adjournments of those holding those stations—for business relating to the ministry.

Q.—Special business? A.—Yes.

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Q.—Then members of that Yearly Meeting meet with the ordinary Yearly Meeting, of course?

A.—Certainly, and its meetings are not allowed to interfere with the session of the Yearly Meeting.

Q.—Then the meeting of ministers and elders is always a joint affair—they meet together?

A.—I have never seen in any other way; I have never heard of one in any other way.

Q.—And the women and men—there is no separate women's meeting for that? A.—No.

Q.—So that it is joint both as to the office and the sex? A.—Yes.

Q.—Now, has it ever happened that you know of that complaints of that kind against false teaching, have been carried to the various bodies that you have named?

A.—There are two ways you might say of carrying those complaints; we have certain queries that relate to the ministry, as to soundness. 8850

Q.—As to doctrines?

A.—Yes, they are answered as the case may be; if there is unsoundness of doctrine, it is so reported, and in that way would be sent up to the Yearly Meeting.

Q.—That is reported to the Yearly Meeting?

A.—Yes; I can't think of any instance where I have been a member or in attendance at meeting, although the other proceedings has taken place, and I have read of it and known of it.

COURT.—You don't recollect an instance of this series of appeals in your own practice?

A.—I believe I do not.

Q.—But you say you have read of such?

A.—Oh, yes, I have known in that way of instances; I do now remember one that occurred in our 8860
Quarterly Meeting; I am not sure whether it was concluded before I was initiated into that body or not, it was about that time in which a sister was removed from the station of a minister, because she was considered as having lost her usefulness or disqualified.

Q.—Does the Society recognize any judge outside of itself as to the soundness of the doctrine—the Society itself must necessarily from its constitution be the judge of the soundness of the doctrine preached by its own members?

A.—That is the way I understand it.

MR. BETHUNE.—I don't know really what I am to contradict; I am dealing with a partial statement of doctrine.

COURT.—The evidence is given I suppose, for the purpose of showing that a meeting listens to these 8870
statements without objection, and apparent approval must be taken as assent; there is a difficulty of establishing the thing as matter of fact, but you must do the best you can.

MR. BETHUNE.—If we had a manuscript with the very words exactly what had been said, one might then have something to go upon, but not so here.

Q.—Now, have you ever heard the doctrine preached that Christ finished the work of man's salvation upon the Cross Calvary, and therefore it was only necessary that a man believe the fact to be saved?

A.—I have no recollection of hearing it formulated in that way.

Q.—Have you ever heard it taught that faith is a faculty of the mind to be exercised at will in accepting salvation on the ground of Christ's finished work? 8880

A.—I don't remember having heard it taught—precisely in that way.

Q.—Or have you ever taught it yourself?

A.—I have not.

Q.—That such an acceptance constitutes a believer in Christ and a Christian; have you ever heard that taught or taught it? I am reading now from the particulars which they have furnished us of the alleged errors, the third error—and then the 4th objection which is raised is that such believers have a continuous indwelling of the holy spirit, so as to qualify him for vocal and religious service in the church at all times—have you ever heard that taught in the Yearly Meetings—or taught it yourself?

A.—I have not taught it myself; there is just a little difficulty in answering some of those questions, from the fact that I may have heard statements that I don't know exactly, that may have to other 8890 minds conveyed this substantially the same thing.

Q.—Did you ever hear teaching which conveyed to your mind that idea?

A.—I don't remember any such; there is just another difficulty too, as to what might be meant by the phrase "quality for religious service."

Q.—"Vocal and religious service"?

A.—Even "vocal and religious service" in this sense a man who has received the holy spirit, being baptised with the holy ghost and his heart purified and filled with faith in the holy spirit has received very important qualification, for any and all religious service has a vessel sanctified and meet for the master's use.

Q.—The way it is put is "for vocal and religious service in the church at all times"? 8900

A.—In addition to that another qualification which I believe it necessary to understand, and I understand it is taught by these brethren who have been mentioned here by name—that they must have the immediate influence of the holy spirit leading to that service at that particular time.

Q.—Well, I understand the gist of this objection to be, I should judge that from what is said by the witnesses here that there had been a teaching that believers had that continuous indwelling, so that without the immediate influence of the spirit, they could teach at all times?

A.—I think such teaching would be taken hold of by the proper authorities in our church.

COURT.—I don't know that those witnesses, who speak of teaching such matters as Maclean, referred to all believers, but only to those particular persons.

MR. BETHUNE.—I understand that, and I ask the witness whether he has ever heard, because 8910

Macleane is not here, and I suppose he is laboring now in Indiana or Ohio, I don't know which, and we didn't know what particular charge they were going to make against him until the evidence was developed.

Q.—No. 5, objection is that the holy spirit does not work in the heart of the sinner until after conversion or acceptance of Christ?

A.—I don't think that is taught; I never taught it myself and never believed it, and I am quite prepared to exonerate these brethren, whose names have been mentioned, from the charge of teaching 8920 that way, because I have often heard them, that is some of them.

Q.—Which of them have you heard teach that?

A.—I have often heard Amos Kenworthy and Elwood Scott; I have not heard Noah Maclean.

Q.—That there is no sorrow in repentance, being simply a turning round and going another way?

A.—I don't think that is taught.

Q.—Have you heard that taught?

A.—I have not; I have heard taught and I teach myself, that sorrow, even godly sorrow, is not itself repentance, but that it leads to repentance, so the Scriptures say.

Q.—And have you ever heard any of these brethren to whom reference has been made teach that?

A.—That there was no sorrow in repentance?

8930

Q.—That there need be no sorrow? A.—I have not.

Q.—Then the 7th objection made to the teaching is that the new birth is a fact and not a process; have you ever taught that?

A.—That interpretation—I should assent to the heresy as it is called.

Q.—With what interpretation?

A.—The interpretation that means instantaneous conversion; that I believe in.

Q.—You believe in instantaneous conversion?

A.—I do, most emphatically.

Q.—And is that believed by the founders of the Society?

A.—I understand the teaching of our Society, they believed in instantaneous conversion, and that is 8940 a pretty broad question; there is a good many founders, and they wrote a good deal.

Q.—The Touchstone doctrine in your Society is the Scriptures, I understand.

A.—We acknowledge them to be.

Q.—In fact the Discipline of '59 says whatever doctrine or practice is contrary to that is to be rejected as false and erroneous?

A.—And it also says that we are willing that all our doctrines and practices should be tried by them—Barclay says so.

Q.—That has been the uniform current of authority? A.—Yes.

Q.—Then the next objection is that the Holy Spirit does not always work in the heart of the sinner (I don't know exactly what is meant—how do you understand that? That there must be a time at which a man ceases to be a sinner, in one sense, and becomes converted?

A.—Am I to answer as to my own personal faith?

Q.—What is the teaching of the body about that?

A.—The teaching of the body, and that which is recognized as the correct teaching, is that the Holy Spirit is sent by the Lord Jesus, sent by the Father in His name to convict the sinner of his sin, without which he would not be able to repent or believe in the Lord Jesus Christ.

CURT—Q.—That is that the Holy Spirit does not work in the heart of the sinner?

A.—He convicts the sinner of his sin.

A.—Have you ever heard the contrary taught in the yearly meeting?

A.—I have not that I now remember.

Q.—Then the next objection is the 3d—that Christ's second appearance without sin unto salvation would be a personal appearance? Is there any teaching at all of the early founders of the society upon that point?

A.—If that is called heresy I am heretical there. I believe the second appearance of the Lord Jesus will be personal, as is testified: "This same Jesus we have seen go into heaven, shall in like manner so to come as we have seen him go."

Q.—Do you know anything in the society which is against that? A.—I don't.

Q.—In the authorized expositions of the society? A.—I don't.

Q.—Then the next objection is that the scriptures being the words of God are equal to and one with the spirit of God. Is that any teaching of the society upon that point?

A.—I don't believe in the responsible—any responsible minister in our society has formulated it in that way in my presence or hearing.

Q.—What is the teaching of the society upon that point?

A.—The teaching of the society as I understand it, at least, as I believe them to teach it, is that the holy scriptures were given by the inspiration of God; that they are a faithful expression of the will and mind and truth of God, and that they agree with whatever else to whomsoever they may be communicated by the spirit of God. They are not the spirit, but proceed from the spirit.

Q.—And I suppose you believe that if a person pretended to get something opposed to scripture it would be a false spirit, and not the true spirit that was prompting him?

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abiding in the Holy Spirit

2. The Holy Spirit is the
and religious

1. The Holy Spirit is the

through an authoritative expression of the
to be with the Holy Spirit
and the Holy Spirit

would not like the
the Holy Spirit

A.—Most certainly, for the spirit couldn't contradict himself.

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Q.—Then the 11th objection is that all those who believe in the manner alluded to I suppose, mentioned in the 10th, have the spirit of God as their abiding guest, and consequently salvation is acceptance, and they enjoy uninterrupted peace. Is there any teaching of the church upon that point?

A.—You seem to be so puzzled to know what that means. I prefer to give an answer like this: I have not heard any teaching contrary, at least, I believe that those who have received the holy spirit as God's gift through Christ, may know His abiding presence with them.

Q.—Well, is there anything in the teaching of the founders of the society contrary to that?

A.—I think not.

COURT.—Q.—You may not have heard any teaching contrary to this, that the holy spirit abides in the heart of believers?

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A.—I began to say that I recalled it, but afterwards stated my own faith. It is the privilege of the child of God who has received the gift of the holy spirit to know that He is abiding in him; that He is not to be received as one who comes and goes as a visitor, but as Christ says, He shall abide with you forever. It is his privilege to know this continuous abiding of the holy spirit.

Q.—Then number 12. That every member of the church after conversion is authorized and competent to engage in vocal and religious service, without immediate inspiration or moving of the spirit. That has been covered by an answer already given. Objection 13 in Friends' religious meetings it is not necessary to wait in silence or wait at all for inspiration of the holy spirit, but all are competent to engage in vocal services acceptable to God at once. What is the teaching of the church as to that?

A.—The teaching of the church as authoritatively expressed is, when we meet there, we meet in the name of Christ, who promises to be with those that meet and direct the service of the meeting. He may give direction to one of His servants even before he enters the meeting house. He may make known what His will may be when he gets to the meeting. He may do so as he walks up the aisle. He may do so as he takes his seat. He may not do so, that is, he may not give any sense of religious duty in that direction throughout the meeting. We lay down no rules that we should wait any moment or number of minutes, but wait upon the Lord to ascertain as best we may what may be His will and then to do it; whatever they may be.

COURT.—Q.—That is, there is no rule as to the time?

A.—No, we would not limit the Almighty God, of course, to establish a rule; and be governed by a previous habit would be to surrender the fundamental principle of Quakerism, as regards worship, which is, to wait on the Lord and do what he says.

Q.—Objection 14 has been in part answered already, and part not—that conversion is instantaneous and that such instantaneous fact includes justification. You have already told us the belief in instantaneous conversion, but the charge there is that it has been taught that that instantaneous conversion includes justification. I suppose it means that a person is immediately justified?

A.—That is my belief and understanding of the truth.

Q.—Well, now, what is the teaching of the church as to that?—I mean the society by the church?

A.—The teaching of the society which I represent is in harmony with my own.

Q.—And what is that?

9020

A.—That justification is the instantaneous work of God, and absolves and gives pardon to the sinner for the sake of Christ—not that there can be any peacemeal work about it.

Q.—Is that opposed to the early doctrines of the society in any way?

A.—As I understand their faith it is not.

Q.—Then in No. 15 it is said that the belief of the friends that the direct and immediate inspiration of the holy spirit should be the director of all our actions, and if we wait for the same we will receive it is not a necessity? What is the teaching of the society of the church as to that?

A.—That word “all our actions” is pretty broad. I suppose it is applied to religious work. I think I have already given an answer to that.

Q.—Do you know of any teaching opposed to that?

9030

A.—None authoritatively expressed by the church?

Q.—Error 16, that regeneration or sanctification is a state only attained after conversion and acceptance of the sinner by God—is there any teaching of the church upon that?

A.—I don't so regard regeneration and sanctification as synonymous, and I don't think our authorised ministers so teach they are tantamount. Regeneration must take place in conversion.

COURT—Q.—Well, so far as sanctification is concerned, what do you say? You hold it is only competent, that it is only obtained after conversion and acceptance of the sinner.

A.—I hold that there is a course of sanctification that takes place in connection with, and inseparable from regeneration or justification, but entire sanctification, or to be sanctified wholly, as the scriptures put it, is subsequent to regeneration.

9040

Q.—In other words sanctification is progressive. It goes on from time to time?

COURT—Q.—Sanctification takes place in conversion, but is not at all at that time?

A.—No, not complete.

Q.—As to these practices, now it is alleged that it is contrary to the usages of friends to read the scriptures in religious meetings. Is there any such usage as that?

A.—Well, it has been a usage for the last nearly 20 years under my observation.

Q.—To do what ?

A.—To read as we felt it to be our duty to read—a portion greater or less of the holy scripture.

Q.—You do that as you are moved by the spirit ? A.—As we apprehend it to be our duty.

Q.—Well, apparently from the evidence, it seemed to be thought by the defendants that it was the right thing to exclude the scriptures altogether from religious meetings. Do you know historically what the fact was about Fox's Meeting House ?

9050

A.—It is a matter of history, and a matter to which I have heard persons in who had been in Fox's Meeting House bear testimony, that there was a bible chained to his desk, which is kept there yet, and it is also a matter which I find on reading the writings of some of the early friends that they did on some occasions read, or use their bibles in connection with their meetings for religious service preaching.

Q.—The discipline I see too, enjoins reading of it in the family, and I suppose the family is only a smaller worship meeting.

A.—I should be sorry to have a family without a family worship.

Q.—Well, is this reading of the scriptures usual in other Yearly Meetings, within the limits I mean of other Yearly Meetings ?

A.—Within the limits of all Yearly Meetings where I have travelled, I might say it was usual. I 9060 couldn't say it was uniform in all meetings. "Usual" may perhaps be considered to mean more than I mean, It is a thing that frequently occurs, generally in various meetings, perhaps in some it doesn't. I have not been in all.

Q.—Is there anything at all in the discipline or any of the disciplines that you have ever seen that forbids this reading of the scriptures ?

A.—I have never seen a Yearly Meeting discipline that hadn't a Bible.

Q.—One always thought that perhaps you had a larger liberty in the Quaker Church than anywhere else, from the moving of the spirit to doing your act ?

A.—You might have thought so.

Q.—Yes ?

9070

A.—Well, it always seems to me that we were allowed, as Benjamin C. Bowen, an eminent clever minister from England travelling in this county. He said that he found Quakerism was liberty to do right in every direction, liberty to do wrong in none.

Q.—Then is there any direction at all in any of the disciplines or in any of the early writings, about forbidding the singing of hymns in meeting ?

A.—I don't know of any ; I have not met with them.

Q.—Do you know whether it has been usual for any considerable time in Yearly Meetings in this country, I mean in America, occasionally, to sing hymns?

A.—It is a thing of frequent occurrence in all the Yearly Meetings where I have travelled—has been for quite a number of years, going back to the teens of years I have frequently seen it. 9080

Q.—Then another practice said to be against the tenets of your society is the holding of revival meetings, and at such meetings calling on those present to speak, and to relate their experience, to pray, to sing, to repeat prayers from dictation, to come forward from the mourner's bench and generally conducting their meetings after a manner inconsistent with the Order of Friends. First, take the revival meetings. Is there anything in your society, in the tenets of your society against holding revival meetings? A.—Certainly not.

Q.—Do you know historically how the society was constituted or the religion of the society propagated originally?

A.—As I read the history of the church, it was propagated very much in the way of holding continuous gospel meetings in the same locality and evangelists going through the country and preaching. 9090

Q.—Then is there anything in the constitution of the society which at such meetings forbids the relation of experience? A.—Not at all.

Q.—Have you ever heard friends relating their religious experience—I mean at the meetings of the society?

A.—Hundreds of times in meetings which I have held and which I have attended and which were held by and in connection with others.

Q.—Then, is there anything in the tenets of the society that makes it improper to ask or to call persons to pray in meeting?

A.—I think not. I can't see why God might not use an instrument to dictate to a man his duty in that as well as in other things. 9100

Q.—Well, then, as to repeating prayers, is there anything in the tenets of the society that makes it wrong to call upon people to repeat prayers from dictation?

A.—I presume I know what it means from things which have frequently occurred. When we hold these revival meetings and find persons who are under conviction; sometimes they ask for the prayers of the Christians, and we have not unfrequently invited them, I have not unfrequently seen them invited to a seat apart from the congregation where we would kneel with them and ask them to pray. If they needed instruction and teaching what prayer was, and how to preach and what their needs were, and get them to do the thing expressing in language of their own their hearts needs to the Lord. If that is what they mean by repeating prayer, why that is frequently done.

Q.—Now the next objection raised is that it is contrary to the discipline to hold meetings for business in joint session. Is there anything contrary to the practises of the society in that respect? How long have you known joint sessions to be? 9110

A.—Quite a number of years. I don't know but in some cases as long ago as I can remember, there would be joint sessions now and again. I think as far back as I can remember attending business meetings. Sometimes they would be held in that way. The usual custom up to within comparatively a few years was separate sessions.

Q.—Some joint sessions you remember as far back as you can remember?

A.—I think so far back as I can remember.

Q.—Then the next objection as to taking up and using pulpits and reading desks was not approved and now we come to one that apparently the other side attach more importance to, namely, the appointment of elders for a limited time instead of during life or good behavior. In the other yearly meetings in America what is the tenure now of the eldership?

A.—I think the Indiana Yearly Meeting was the first to alter its discipline and adopt that method which was in I think. Since that time it has been the mode of appointing elders.

Q.—Has it been adopted in the other Yearly Meetings of the body throughout America?

A.—I couldn't speak positively as to all of them; I am quite sure it is in most of them. I don't think there is much difference between the intent of the two disciplines. The old discipline provided that whereby negligence or unfaithfulness, or otherwise an Elder was found to have lost his usefulness, he was by some means to be removed, and the Monthly Meeting then might appoint a Committee once in three years or oftener, if it chose, to ascertain that fact and avoid the odium of removing someone because of something that might be reproachful, and it was the duty to reconsider or review the standing of Elders once in three years, and if they have not lost their usefulness it is by no means obligatory to remove them; instead of that they are retained and retained during life if that be the case. A great many of them have to my knowledge been retained to the time of their death. Some members at the time of the adoption of the discipline are still Elders.

Q.—Is there anything in the constitution of the society before you had any disciplines at all about this which made the office of Elder one for life?

A.—I hardly think there was such an office of Elder as we have it now in the constitution, the original constitution of the society. I hardly think there was, not as we now have it; that is, touching Eldership. I think perhaps 100 years; I am not positive in the times.

9140

Q.—Then I observe a difference between the phrase which you yourself apparently have always used to designate the commencement of the office of Minister and Elder. In the one case you speak of acknowledging a friend as Minister, and in the other appointing Elder. Is there any importance attachable to that? in the light of the belief of the society? I don't know how much importance may be attached to it: there is a certain power vested in the Monthly Meeting to appoint the station. In the other case, it is not considered an appointment so much as a recognition of God's appointment.

A.—In the case of the Minister it is not so much an appointment by the meeting as a recognition of God's appointment an official recognition.

Q.—And the Elder is said to be appointed?

A.—In an edition farther back in the Indiana, it used to be “recommended.”

9150

Q.—Now when a new Yearly Meeting is to be set up, is that done by the body alone, from which they are an off-shoot? or are the other Yearly Meetings in the world consulted about it?

A.—Other Yearly Meetings are consulted in all cases so far as I know in the practice or history.

Q.—Now we hear that the Clerk of the Yearly Meeting is the only officer you have, in fact of the meeting, the only executive officer in connection with the meeting. You can't recognize any presiding officer as such?

A.—None except the Clerk: there is a sense in which he presides to keep order.

Q.—It is his duty to gather the judgement of the meeting?

A.—It is.

Q.—Now is there any practice at all on the part of those who meet? What is the duty of those who 9160 may be opposed after the Clerk for instance has made a minute, and it has been announced and there has been no further objection to it, what would the minority ordinarily do? Suppose there are those who strongly protested against the thing, but the Clerk in the exercise of the judgment imposed in him by the meeting have made the minute and announced it, and the parties pretty evenly divided, and there is numerical majority, but a considerable minority still existing what is their duty?

A.—I would feel it to be my duty to submit to the judgment of the meeting as recorded by the Clerk.

Q.—That is, if you were one of the minority?

A.—Yes.

Q.—Is that inherent in the system of Quakerism?

9170

A.—I think it is.

COURT.—It is the duty of the minority to submit?

A.—Yes; and there is a privilege of moving a re-consideration.

Q.—They may bring it to the next Yearly Meeting and alter it in that way?

A.—Yes, or move it to the Subordinate Meetings through the same body, that is, if the Subordinate Meetings concur with them and unite in recognizing their appeal.

BY MR. MACLENNAN.

Q.—You resided in Indiana for a great many years?

A.—All my life until last year, with the exception of the time that I would be residing as a Minister under a minute of session.

9180

Q.—Indiana was your home ?

A.—Yes.

Q.—And any time that you were absent from Indiana was merely for short periods I suppose ?

A.—Travelled some ; at different times I have been away as much as a year or more.

Q.—As much as a year residing out of Indiana ?

A.—Yes ; itinerating more properly than residing.

Q.—Going about from Yearly Meeting to Yearly Meeting ?

A.—Not so much as going about within the limits of one Yearly Meeting, not going from one Yearly Meeting to another. So much as laboring in different parts of the same Yearly Meeting ; part of the time I would be located for weeks or months at one meeting. 9190

Q.—Were you ever in Canada until last year ?

A.—I was.

Q.—You never were in Canada until last year itinerating ?

A.—I attended Canada Yearly Meeting 8 years ago.

—Did you ever itinerate in Canada ?

A.—I came to Canada Yearly Meeting 8 years ago in the capacity of Minister.

Q.—But not to spend any time among the Friends ?

A.—Not except what it required to attend. -

Q.—In your Ministerial capacity ?

A.—Just to attend the Yearly Meeting. 9200

Q.—Simply to attend the Yearly Meeting ? A.—Yes.

Q.—8 years ago ? A.—I think it was 8 years ago.

Q.—In '75 ? A.—I think so.

Q.—Was there any special occasion for your coming at that time.

A.—Well I thought it was the Lord's will I should come as Minister to visit the brethren,

Q.—Did you do anything in your Ministerial visit beyond simply attending Yearly Meeting at that time ? A.—I don't remember that I did.

Q.—Did you bring a minute with you that time ? A.—I think I did, a certificate as a Minister.

Q.—Was it received and accepted?

A.—I think it was to the best of my recollection. It was in the usual way.

9210

A.—I think it was received in the usual way. It was not a certificate of membership, simply a Ministerial certificate “liberating” at we call it, for religious service.

Q.—And commending you to the other Yearly Meeting?

A.—It was addressed especially to New York Yearly Meeting, and the meetings within its limits and “parts adjacent” it included that phrase I think.

Q.—Is that what is called a minute? What has been called a minute that was brought by Ministers coming from other Yearly Meetings? A.—In our peculiar language it is Yes.

Q.—What is what is called a minute?

A.—Yes, properly perhaps a certificate stating the concurrence of the meeting of which I am a member with myself as a Minister, and my special service, proposed service.

9220

Q.—Except that you have no acquaintance or experience in the proceedings of friends in Canada?

A.—Except through the Yearly Meetings I have now attended, I hadn't.

Q.—The one of 8 years ago and the next one? A.—Last summer, '83.

Q.—And on these last two occasions it was the Plaintiffs Yearly Meeting that you attended?

A.—Yes.

Q.—And you now consider yourself as belonging to the Plaintiff's Yearly Meeting? A.—Yes.

Q.—Having come to reside in Canada? A.—Yes.

Q.—You say you have some knowledge of the adoption of the New York Discipline? A.—Yes.

Q.—You say you were present at the Yearly Meeting, on one occasion at all events, when it was under consideration?

9230

A.—Yes.

Q.—Was that the time that it passed? A.—I don't think it was.

Q.—You don't think you were present when it passed?

A.—When it finally passed?—I think not.

Q.—How long do you say that discipline was under consideration by the New York Yearly Meeting?

A.—I think it was, in some form or another, two or three years.

Q.—For two or three years? A.—I think so.

Q.—Do you know what stages it passed through?

A. I wouldn't like to undertake to testify accurately about that.

Q.—You say it was referred to a committee? A.—I think it was, on one occasion.

Q.—And what else? A.—Subsequently, I think, to the representative meeting—I think so.

Q.—Anything else? A.—I am not aware of it?

Q.—Give me an idea of what means were taken to ascertain the sense of the Friends in regard to that discipline.

A.—Well, I am hardly competent to testify on that, for, during the time of its consideration—part of the time—I was not within the limits. 9240

Q.—You weren't competent to testify what steps were taken to ascertain the judgment of the Friends on that discipline?

A.—No, not all the steps.

Q.—All you know is that it was before the Body for consideration for two or three years?

A.—I think so.

Q.—I suppose it would have been necessary to take some steps to make its provisions known generally among Friends, wouldn't it—in order to get their judgment upon it?

A.—To make its provisions known previous to its adoption?

Q.—Yes? so that it could be considered intelligently?

A.—Of course they couldn't know its provisions unless in some way or other it was brought before them. 9250

Q.—Of course it is a large book and the changes were very great, were they not? in the form of it.

A.—Well, there were some considerable changes with regard to the mode of appointing certain officers.

Q.—Then the whole structure of it is different?

A.—I wouldn't quite say yes to that, because I think between the disciplines there is quite a remarkable agreement.

Q.—Not in language?

A.—All substantial.

Q.—The language almost throughout is changed, isn't it? 9260

A.—In the declaration of faith?

Q.—In the whole body of it I am not speaking of any particular part of it now?

A.—I think in very many places the language is not greatly changed.

Q.—Of course there are passages that are the same, but very extensive passages that are entirely different ?

A.—I suppose so here and there, as to the precise language.

Q.—You would conceive it to be necessary I suppose, or would you regard that as a very important matter in the yearly meeting to have the discipline changed and this new discipline adopted ?

A.—Yes ; a matter of considerable importance.

Q.—And you would consider I suppose that it was very essential that all friends should have an opportunity of knowing what the changes were that were proposed, in order that they might form a judgment upon it ? 9270

A.—Well, in order that they might form a judgment upon it, it would be necessary for them to know of course.

Q.—I suppose according to the constitution of the society of friends, every individual has just exactly the same right and authority to make known his opinion and to have it receive its due weight ?

A.—If he does so in a proper way !

Q.—One friend has no more authority than another in the body with regard to a matter of that sort ?

A.—In that particular I suppose they are all allowed to express their opinions at any meeting where they may be present. 9280

Q.—You say that unanimity is not requisite then in adopting any matter that is brought before a meeting ?

A.—That has not been the practice.

Q.—In the United States ? A.—As far as my observation has gone.

Q.—Well, what has the practice been then ?

A.—The practice has been to allow a reasonable liberty of expression and discussion, if it was necessary to discuss the point.

Q.—Now when a matter is brought before the meeting for the purpose of being adopted, what is aimed at ? What extent of concurrence in the proceeding is aimed at ? 9290

A.—I suppose they aim to get what might be considered the dominant feeling or judgment !

Q.—A mere majority would be the dominant feeling of course, wouldn't it ?

A.—It is the business of the Clerk to ascertain.

Q.—Wouldn't a mere majority be a dominant feeling?

A.—It would be perhaps a dominant feeling so far as it is expressed.

Q.—So far as the meeting was concerned, if there was a mere majority that would be the dominant feeling? Is that what the Clerk is to ascertain? Whether in his judgment there is a majority in favor of a matter.

A.—Not necessarily that; he is to gather the expression of the meeting as he may be able to do it.

Q.—What is your judgment of the practice of friends, where a few that is a minority of them 9300 were opposed to anything that was brought up for acceptance? What has been the practice? What would be the Clerk's duty if there was a considerable number of influential friends, but still a minority opposed to a matter that was brought forward?

A.—Usually he records the prevailing expression as the judgment of the meeting.

Q.—Against the will even of a considerable minority who were strongly opposed to it?

A.—That is, I think, usually done.

Q.—Is that your opinion of the practice? A.—I think it is.

Q.—What is the practice that you have observed?

A.—Where it comes to a matter that has been discussed and opinions pretty freely expressed, the Clerk has the power then—the clerk has the power of recording the will of the majority, in fact against 9310 the will of the minority?

A.—I suppose he has.

Q.—That is your opinion is it? A.—I think so, I think he has.

Q.—And is that your opinion of what the ancient practice among friends has been?

A.—Well, as regards details of that kind, not being matters of history, I don't know what the ancient practice was.

Q.—And you are only speaking from what you have observed in your own country in your own experience?

A.—Of course I couldn't speak further than that, except what I have heard others say they have seen. 9320

Q.—Do you know anything of a document of faith that was brought up in '82 Yearly Meeting?
A Canada Yearly Meeting?

A.—I think there was something of that kind brought.

Q.—Were you there? A.—I was.

Q.—Do you know what took place?

A.—Well, I know I have an indistinct recollection of some things that took place.

Q.—Your recollection is not good then ?

A.—I wouldn't want to carry about any particulars.

Q.—Well, was there anything of that kind proposed ? an article of faith or a declaration of faith, or a confession of faith, or something of that kind ?

A.—I think there was a proposition made, to re-affirm our faith or something of that kind. 9330

Q.—To re-affirm your faith in what form ?

A.—I wasn't at that time a member of Canada Yearly Meeting, and didn't charge my memory especially with it.

Q.—But you were there ? A.—Yes !

Q.—Was there a majority in favor of it ? A.—I can't now say.

Q.—Do you know what was done ? whether it was carried ? A.—I think it was carried.

Q.—You don't know whether there was a majority in favor of it or not ? You can't tell ?

A.—I don't know.

Q.—Then it is your opinion Mr. Woodward, that whenever the Clerk is satisfied that a majority is in favor of any proposition that it is his duty to declare it to be the judgment of the meeting ? 9340

A.—I should think so ; unless those or a number of those who are in the other side, would express themselves as willing to defer to the minority in a case of that kind.

Q.—Unless some of the majority should express their willingness to defer to the objections of the minority, then it would be the duty of the Clerk to declare that to be the judgement of the meeting ?

A.—I should think so.

Q.—If therefore the majority insisted upon their position it is the duty of the Clerk to record it as the judgment of the meeting ?

A.—I hardly see how he could do otherwise, there has to be yielding on one side or other.

Q.—You say there has to be yielding on one side or the other ? 9350

A.—Certainly, where there is a difference of opinion.

Q.—Suppose those who were opposed didn't yield ?

A.—In a case of this kind, I should think that would be a kind of an act of insubordination.

Q.—The minority must either yield or be guilty of an act of insubordination ?

A.—It seems a little that way.

Q.—That is your opinion? A.—I should think so!

Q.—You have no knowledge, however, of the way in which these things were done in Canada until you came here last year?

A.—No personal knowledge.

Q.—And you are speaking now of the United States? A.—Yes!

9360

Q.—It is your opinion that each Yearly Meeting may change its own discipline? A.—It is!

Q.—Without consulting other Yearly Meetings? A.—It is!

Q.—And that each Yearly Meeting may make a change in that matter of majorities or unanimity or mode of carrying any motion. They may regulate their own practice on that point.

A.—I think so.

Court—Q.—Do you mean to say each yearly meeting may change the creed or belief of the body?

A.—I didn't mean to make an answer of that kind.

Q.—You are aware that this New York discipline, both the old and the new, do contain a great deal on matters of faith?

A.—Yes.

9370

Q.—Well, is it your opinion that the yearly meeting can change that?

A.—They can change the language and arrangement, and they may ask something that is not in a previous discipline, but nothing contrary to the acknowledged faith of the Church.

Court—Q.—May change the language and arrangement of the articles of faith, but can't make any contradictory.

A.—I should think it would be hardly.

Q.—Or introduce anything new in matters of faith?

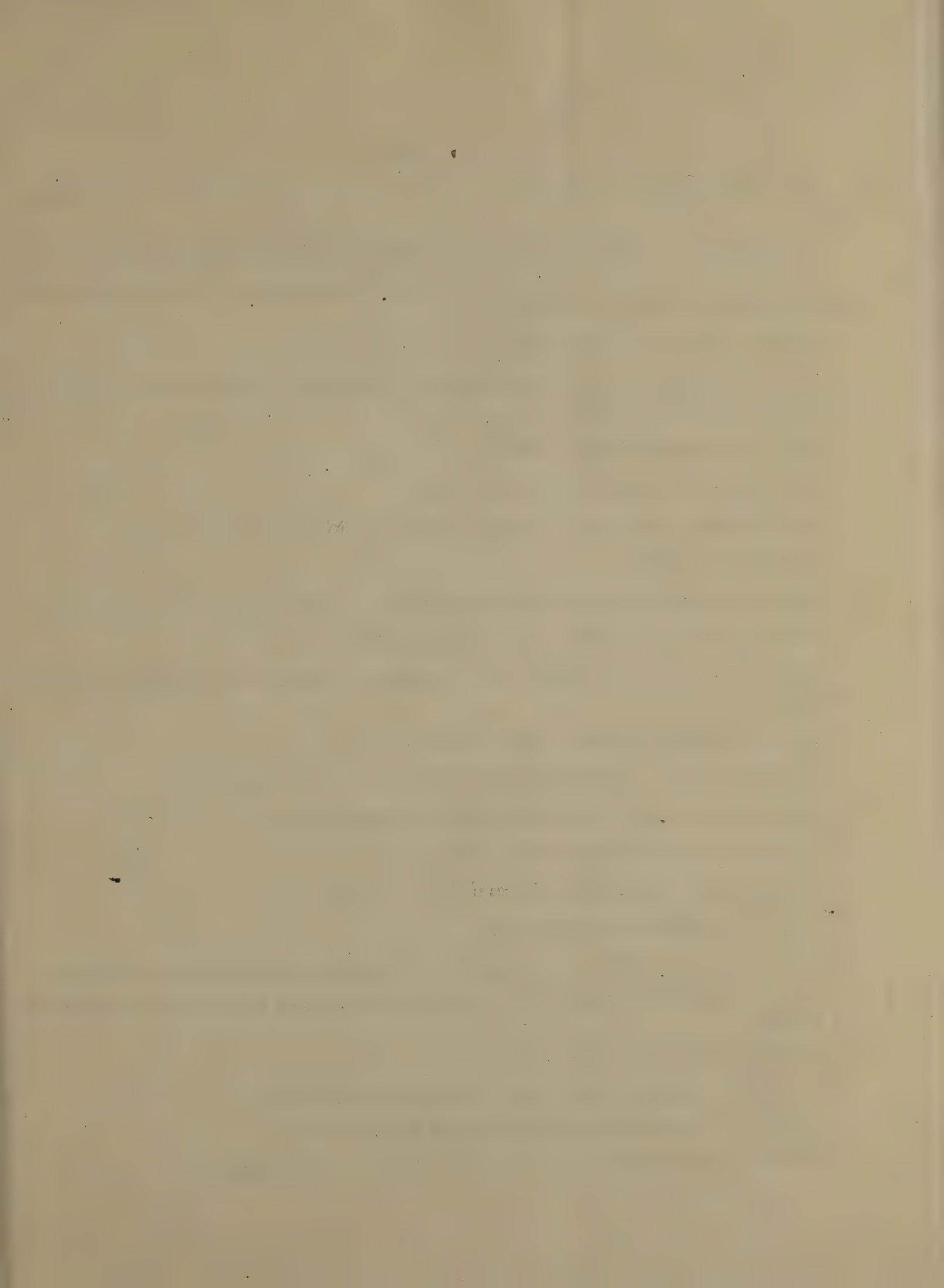
A.—New in what sense? the first Indiana discipline that I have named that I have in my possession contained no discipline of faith at all.

Q.—Have you no faith at all there?

9380

A.—We have quite an extensive declaration of faith in the present discipline.

Q.—Then what distinction do you make between what the yearly meeting can do and what they can't do?



A.—Well, in regard to what they can do, they could do perhaps things that it wouldn't be proper to do.

Q.—What are their powers ? You say each yearly meeting can make a change of its own discipline ?

A.—There is no power that would call them to account in any other way except they might sunder their fellowship with other yearly meetings.

COURT—Q.—No power to call a yearly meeting to account ?

A.—I know of none ; we have no general conference that directs the body that has jurisdiction over 9390 the different yearly meetings in that sense.

Q.—You say that you received no salary ?

A.—I say that I am not hired to preach the Gospel.

Q.—You made some arrangement with the friends in Toronto, I believe, for coming here ?

A.—So far as I stated.

Q.—Did you make some arrangement with the friends in Toronto that you should come to them ?

A.—As I would have of course no means of support when I left my—

Q.—Did you make some arrangement with the friends in Toronto that you should come to them and reside among them ?

A.—I answered that question, I think, a while ago.

9400

Q.—Answer me now ? A.—The arrangement, as I explained it a while ago, I did.

Q.—You were to render your services to them as a minister were you ?

A.—We entered into no obligation further than to—

Q.—Did you agree to render your services to them as a minister ?

A.—Not beyond what I believe was my--

Q.—Did you to any extent ? A.—Of course it was understood I was coming there as a minister.

Q.—You arranged with the brethren in Toronto then to come there and render them your services as a minister ?

A.—I did as I explained a while ago.

Q.—And they arranged to supply you with the means of livelihood ?

9410

A.—They did ; at least they expressed themselves as willing to do so.

Q.—And you have rendered your services to them ? A.—To a very large extent.

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Q.—In pursuance to that arrangement? A.—To a very large extent.

Q.—And they have supplied you with the means of livelihood? A.—Yes!

Q.—In pursuance of that arrangement? A.—Yes!

Q.—And that arrangement was made before you came?

A.—As far as they assured me that they would do that thing.

Q.—And you assured them that you would render them your services? When was that arrangement made?

A.—It was made last summer, a year ago.

9420

Q.—And how often do you receive from them what they supply you with for your livelihood?

A.—Weekly.

Q.—You receive a weekly sum from them? A.—I do!

Q.—And that was the arrangement made when you came there?

A.—The arrangement was not to give me any specific sum.

Q.—There was no sum named? A.—No specific sum.

Q.—Was there any sum named?

A.—No specific sum; they said they would give me precisely so much.

Q.—They said they would give not less than so much?

A.—The expression was they thought they could supply about so much.

9430

Q.—They thought they could supply about \$15 a week?

A.—I suppose it might be answered in that way, that was not precisely their words!

Q.—And you were satisfied with that? A.—Well I came!

Q.—Well, you were satisfied with that?

A.—Why certainly I was satisfied with it, and very grateful to the brethren for what they do! The Lord has put it into their hearts to give, and I have no conscientious scruples against receiving.

Q.—Can you refer me to the passage in George Fox's works from which you took that extract?

A.—No I can't tell what part of his works it is found in.

Q.—You didn't take it from the works themselves?

A.—I took it from “The Friend’s Review;” I have seen it in George Fox’s works, but I didn’t 9440
take it immediately from them.

Q.—And you can’t refer me to the page or passage in any away?

A.—No, I can’t—not to his works.

Q.—Well, now, is that a new thing to have a Minister placed in the way you are placed?

A.—I hardly think it is.

Q.—Did you ever know of such a thing before?

A.—I have—essentially the same thing.

Q.—How do you mean, essentially the same thing?

A.—I mean when one feels called to religious labor and has not the means of support. I have
known instances, where the Church has supplied it. 9450

Q.—Under an arrangement such as you speak of?

A.—Mutual arrangement or agreement; mutual understanding between the parties.

Q.—That is the way you gain your livelihood at present for yourself and your family?

A.—Well, I have some other resources.

Q.—I thought you said to my learned Friend you hadn’t?

A.—No means of making a living there, but I have a farm from which I receive a small amount of
rent. If I hadn’t I should not have been able to make ends meet. Schooling my children, &c., and the
immediate support of my family is supplied, and other expenses I supply with my own means in part.

Q.—Now you say that your Yearly Meeting has about 20,000 members?

A.—Indiana Yearly Meeting. 9460

Q.—And that your discipline has been changed four times in your recollection? A.—Three times.

Q.—Now, what means were taken in getting the mind of the whole body in reference to those
changes of discipline?

A.—The last change was referred to a Committee of which I was one; a committee appointed in the
Yearly Meeting.

Q.—How was it first brought up?

A.—I think it was brought up in some of the written reports from some one or more of the quarter-
ly meetings.

Q.—It was brought up first in your Quarterly Meeting ?

A.—I think it was, and then referred to a Committee appointed in the Yearly Meeting, of which I 9470 was one.

Q.—And how were the members at large made aware of the proposed change ?

A.—By hearing it read in the Yearly Meeting.

Q.—The whole 20,000 I suppose learned it there ? A.—No.

Q.—How did they learn it ? this proposed change ; the whole 20,000, how did they learn what the changes were ? or that any change was proposed ?

A.—They learned that the change was proposed through the Yearly Meetings' minutes that was sent down.

Q.—After it was carried ?

A.—After it was referred to a Committee ; the Committee stood appointed for one year.

9480

Q.—And it first came up in a Quarterly and then came to a Yearly, and the Yearly referred it to a Committee, and then the 20,000 learned it from the proceedings of the Yearly Meeting ?

A.—They had an opportunity of knowing the fact that such a proposition had been before the Yearly Meeting and referred.

Q.—Well, was that all they knew about it that it was referred to a Committee ?

A.—I think they had no opportunity of knowing anything further till the next Yearly Meeting.

Q.—What was referred to a Committee ? the proposal to make a particular change ?

A.—The proposal to revise the discipline.

Q.—Simply the proposal to revise the discipline ? A.—Yes.

Q.—Not specifying the particulars of the revision ? A.—No.

9490

Q.—And it was for the Committee to determine then, was it, what particulars they would suggest ?

A.—Yes.

COURT.—And was that what they report to the Yearly Meeting the following year, what they did ?

A.—Yes they did ; they met frequently during the year and considered the subject, and made out their proposals at the following Yearly Meeting.

Q.—And were the acts of this Committee in any way made known among Friends ?

A.—Not that I know of ; it might have been by personal correspondence or conversation.

Q.—Then the Committee reported to the Yearly Meeting ?

A.—They submitted their report as the revised discipline to the Yearly Meeting.

Q.—They submitted certain proposed alterations to the Yearly Meeting ? A.—Yes.

9500

Q.—And when was it passed ? A.—At that same session that same year.

Q.—That same session ? A.—I hardly think we got through with all of it at one session.

Q.—That same yearly meeting ? A.—Yes, that same Yearly Meeting.

Q.—And that was all the opportunity 20,000 people had of knowing what was proposed ?

A.—As far as I know.

Q.—If you had gone in the Yearly Meeting you would have seen perhaps alterations. The proposed alterations for the first time supporting you, hadn't been on the Committee ?

A.—Yes unless some of the Committee had taken the pains to inform me I suppose a great many came up there without knowing !

Q.—And those that didn't come of course didn't know ? A.—I suppose not, of course !

9510

Q.—And then you say that same Yearly Meeting carried it ? A.—Yes !

Q.—And you think that is sufficient information for the whole body to enable them to judge of the propriety of the action. The Quarterly Meeting didn't consider it at all ?

A.—No !

Q.—Nor the Monthly ! A.—No !

COURT : This originated in the Quarterly Meeting ?

A.—I would not like to be positive about that ! It is my impression that it did, that it originated in the Quarterly, but I wouldn't like to testify to that.

Q.—And it is your opinion that a bare majority of the Yearly Meeting were competent to carry it ?

A.—Well, I think they did in several important parts of it !

9520

Q.—And that that was the correct thing ? A.—Yes ; I have already answered that I believe !

Q.—Now, this rule of unanimity or majorities I suppose is [the same rule that is used in the Monthly and Quarterly Meetings. is it ?

A.—I suppose so !

Q.—It is not continued in the Yearly Meeting ? A.—No ; I think not !

Q.—Whatever the rule is it is the same rule in the other meetings as well as in the Yearly Meetings ?

A.—The practice is the same in general terms.

Q.—Now, how long has that practice prevailed ?

A.—Ever since was able to attend meetings for business ; lately not so much discussion as a rule. 9540

Q.—Have there been any difference arisen in late years among friends in the United States ?

A.—Yes !

Q.—Of what kind ?

A.—To some extent the same that has existed here ! Difference with regard to the mode of carrying on Church work and definitions of Doctrine.

Q.—Doctrinal differences and practical differences and practices ? A.—To some extent !

Q.—When did these differences first develop in the States ?

A.—I think it was farther back than I was old enough to attend. Perhaps in '35, along there, was the first ! Well beyond the back of that was a general schism !

Q.—That was the great Hixite split ? A.—Yes !

9550

Q.—The friends split at that time into two divisions which still exist I think ? A.—Yes !

Q.—The 'Hixite, and the Orthodox ; was that the name that was given to the other ? A.—Yes !

Q.—And later on differences have arisen in the Orthodox body ?

A.—Yes ; this case before the Massachusetts's Court shows that !

Q.—And these differences were similar to the differences with which we are engaged at the present moment ?

A.—I think so ; some points at least !

Q.—Now, what general name has been used amongst you for the two different parties on one side and on the other.

A.—Well, in some portions the phrase, the Gurneyites and Wilburites ; that didn't appertain to the 9560 locality where I lived ; it was "Conservative" and "Liberal," or at least the one party was termed Conservative, a very common expression, and the other party sometimes put down as Liberal ; I don't know that that was the general designation.

Q.—Have there been any other names used to designate the different parties ? Were the Gurneyites Conservatives and the Wilburites Liberals ?

A.—Not in the locality I lived and labored ; I don't remember. The Wilburites were the Conservatives and the Gurneyites Liberals ; we didn't use that expression in the part where I lived.

Q.—The Gurneyites professed to adhere to the old doctrines and practices ?

A.—No, the Wilburites.

Q.—The Wilburites adhere to the old doctrines and practices ? That is what they profess. 9570

Q.—The Gurneyites adopting what are regarded as new progressive ideas ?

A.—I don't know that they professed to have adopted anything new.

Q.—And among you in Indiana did these differences extend ? A.—To some extent.

Q.—Were the differences of the same character ? as between the Gurneyites and the Wilburites, or if not, what were they ?

A.—Very much the same I find.

Q.—And is there any considerable split amongst you in Indiana ?

A.—Not in Indiana Yearly Meeting.

Q.—Are there two Yearly Meetings there in Indiana ?

A.—There are two Yearly Meetings of orthodox friends which are held in the State of Indiana, 9580 both regularly established ; one of them is located near the Ohio line on the east.

Q.—They recognize each other, these two ? A.—Yes.

Q.—Besides that are there any Yearly Meetings that don't recognize each other ?

A.—There has been a separation in what we call the Western Yearly Meeting which is in Indiana, and they have formed what they call the Western Yearly Meeting, held very near the same spot where the original Yearly Meeting was.

Q.—What are the differences between those two as you understand them ?

A.—I think they are very much the same ; I have seen their documents such as I have seen here representing that there had been departures from the practice.

Q.—Very much the same as the differences we have here ? A.—I think so. 9590

Q.—Differences of doctrine and differences of practice ?

A.—Alleged differences ; the Conservatives alleged that there had been departures among the body.

Q.—Which of these do you belong to ?

A.—To the larger body that has not separated at all ; there has been no separation in Indiana Yearly Meeting, not as a Yearly Meeting.

Q.—Which of these sections, where they have divided, are you in accord with ?

A.—I am in accord with, not the Conservatives, as we designate them, but in accord with those from whom they separated.

Q.—Those you are in accord with what are they called ? A.—The Society of Friends.

Q.—What are the different sections called by you in which the western body has been divided ? 9600

A.—They are called now the Separatists Separate Body of Conservative friends. Separatists; the Conservative body or the Conservative friends.

Q.—Your sympathies then are with these new movements ?

A.—Well, if you choose to designate them in that way, My sympathies are with the Plaintiff's body here, I suppose I might say of course !

Q.—Now, you say you were acquainted with Kenworthy and Scott, Maclean, and Blackledge ?

A.—Yes !

Q.—Are they of the same way of thinking as you, about these new disturbing matters ?

MR. BETHUNE.—I object to this as he can't know. My learned friend can't prove by these 9610 witnesses what the sympathy of these other people is, because you get their declarations then not on oath as to what it is ; it is only heresay evidence. What is evidence as to what his sympathy is. If it is important to prove that they do sympathize with the Plaintiffs, they must prove it by their acts or call themselves ?

COURT.—The declaration is an act, and as to the mode of proving the proclivities of these people, I think it is a perfectly legitimate mode of doing so.

MR. MACLENNAN continues—

Q.—To which of these parties then do these gentlemen belong that you are speaking of ?

A.—They were identified when I last knew them or saw them ; they were identified with the same body as I am. 9620

Q.—Now, although there has been no separation in your meeting, your Yearly Meeting, is there difference or division ?

A.—When I say there has been no separation in our Yearly Meeting, I speak of its organized body. There has been a separation in one small Subordinate Meeting within its limits in one Monthly Meeting

COURT.—In Indiana ? A.—Within its limits, a Subordinate Monthly Meeting.

Q.—But there has been no general separation throughout the Yearly Meeting or either of them except one ?

A.—I now recall there has been a separation in another Monthly Meeting ; those two are all that I know of.

Q.—And is there a difference of opinion in the body at large ? Is there a division on these 9630 questions ?

A.—None that makes itself specially apparent— if there is a variety.

Q.—Still are you aware that these differences do prevail more or less in your body, although it is not and has not amounted to a separation ?

A.—I think we could find individuals here and there. I am sure of that. Whose sympathies would be with the Separatists body, but what number or extent, I am not able to testify.

Q.—When did you first visit the Westlake Monthly Meeting ?

A.—It was last winter.

Q.—What time ?

A.—I think it was the first month, January. I am not positive about that. It was at their 9640 Quarterly Meeting held in the winter there. I couldn't state as to the month, it was in the winter.

Q.—And did you preach there ? A.—I did.

Q.—Now, you are represented as having preached there that the Bible was first and the Spirit secondary in point of importance ?

A.—I think if anyone understood me to use language like that, they misunderstood me ; I don't think I used it.

Q.—You say if that was so, you were misunderstood ? A.—Yes.

Q.—Well, what is your opinion on that point ?

A.—My opinion on that point is that the Holy Scriptures taken in their entirety were given by the inspiration of God, and, as such, contains a revelation of the will of God, and, as such, that is, as an indi- 9650 cation of God's mind and will and truth to man, is it not secondary to any other indication of God's will to man.

Q.—The Bible is not secondary to any other indication of God's will to man ?

A.—It is of equal authority to His expressions delivered in any other way, supposing He does indicate any other ways ; besides, I think that the Scripture contains a complete compendium of doctrine, and I am not authorized to expect a revelation of new doctrines.

COURT.—Your allegation is that you preached that all that was known through the Holy Spirit was through the Bible ?

A.—I disclaim having preached that.

Q.—You say you must have been misunderstood? A.—O, certainly.

Q.—You mean to say you had that paper at the time? A.—I did, and read it.

Q.—When had you procured it?

A.—I couldn't tell when; it had been written in my Bible for some years.

Q.—You had taken it from this friend?

A.—No, not that extract from Wm. Penn; it was not taken from the Friends' Review.

Q.—The extract that you put in?

A.—No, I don't know just where, what book I got that out of, whether Penn's original works or not, I have had it so long.

Q.—Now when you read that, didn't you proceed to enlarge upon it to express your opinion more fully and your teaching more fully upon that subject of the Scriptures and of the Spirit?

A.—I spoke more largely on that subject and read this in confirmation of what I was saying.

9680

Q.—You enlarged upon it? A.—Somewhat.

Q.—And you afterwards had some discussion with Mr. Penn—did you explain what your view was with regard to the Spirit and God and their relations?

A.—I endeavored to.

Q.—What did you explain or say about that?

A.—Not binding myself to give my exact words I don't think my memory is quite so good as my Friends; I was treating on the relative position and importance of the Holy Scriptures and the Holy Spirit and his operation in the heart and mind of man; I think I took exception to a phrase which is sometimes used of denominating the Scriptures a secondary rule of faith and practice; I think I did; if I didn't then; I do now, and went on to say I don't regard them as secondary in point of authority or importance to any other indication of the mind or spirit or will of God to man, but where they spoke they were authority from which there was no appeal, and hence could not be submitted to any other authority or test.

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Q.—What did you say about the relation of the Godhead to the Spirit?

A.—I think I went on to say that while, if God communicated directly to man, and he had communicated in the Scriptures, there could be no disagreement between the two as an expression of God's will, and I don't know but what I may have quoted the axiom amongst others, which is in our discipline that the Spirit which contradicts the Scripture must be counted a delusion, and then I think it went on to say that when we come to compare the Spirit who is God himself with the Bible; of course nobody would pretend to say that the Bible was God or was equal with God; so you see I made a distinction between the revelation of the mind and Spirit of God given by holy

9700

men of old, and recorded in the Scriptures, and that the Spirit that so revealed was the truth. I think I was entirely misunderstood by my friends, and comparing the extract I read and shows for itself. This rendering of it will show how inaccurate he must be in his recollection in trying to reproduce what another has said.

Q.—Now, you say you have compared these two disciplines? A.—I said so.

Q.—Carefully? A.—I think I said so; I did.

Q.—What length of time have you bestowed upon them?

A.—I couldn't state as to that; at my leisure I would take them up; during various times I would take them up and read them.

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Q.—What length of time do you suppose you bestowed upon them?

A.—I couldn't reduce it to hours at all, because it would be mere fragments of time extended through different days; sufficient time to examine them both. I did examine them both.

Q.—It required some days and some hours of the day to do it? did it?

A.—It would not require very many hours to read them both through.

Q.—But to make a careful comparison as one would like to do?

A.—O, well, I don't think it would require very many hours to do that, but I would just read as I had leisure now and then.

Q.—And you say that you don't find any substantial difference of doctrine in them?

A.—Nothing that impressed me making allowance for the different language.

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Q.—Nothing that impressed you? A.—As being a substantial difference.

Q.—What reason do you suppose there was for a change of language?

A.—What reason they had; they must answer for themselves.

Q.—You can't tell? A.—I don't think I can.

Q.—You couldn't tell why they discarded the language of the old and adopted the new language in order to express similar things?

A.—I couldn't answer for that, what their object was.

Q.—They must have had some reason I suppose? A.—They thought they had I suppose.

COURT.—You were on the Revision Committee in Indiana? A.—Yes, the last one.

Q.—Now I find a change in these two disciplines on the subject of the appointment of Elders, that is a decided change I suppose?

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A.—O, Yes, as regards the mode of appointment.

Q.—The old practice was as described for life or good behavior? A.—Yes.

Q.—Was it or was it not? A.—Well, it was not to re-consider or re-appoint at stated times.

Q.—Now, when a man or woman was appointed an Elder, what was the practice in regard to the duration of the appointment? How long did that Eldership continue?

A.—As a general thing I suppose it continued through life.

Q.—Unless they was some behavior which made it necessary to remove the Elder?

A.—Yes, or else the church may have discovered that they had no qualification for it—didn't always imply misconduct or anything of that kind.

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Q.—Now, you say that there is a difference between the minister and the elder—that the ministers appointment is an appointment by God, and the elders appointment is by man—is that so? Don't you regard the appointment of an elder as an appointment by God?

A.—So far as the church record is concerned—of course.

Q.—Isn't it regarded as one under the influence of the Holy Spirit, the appointment of an elder?

A.—It ought to be so done.

Q.—And that is the way in which it is regarded—isn't it? A.—I presume so.

Q.—And is there any distinction further between the appointment of an elder and the appointment of a minister in that respect?

A.—I don't know that I understand the question.

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Q.—Is there any difference between the appointment of an elder and the appointment of a minister in that respect; they are both regarded as done under the influence of the Holy Spirit—are they not?

A.—I suppose the Friends profession is to do their church business whatever it is, under the influence of the Spirit; whether they always do it under that influence is a different question.

Q.—Then this new change of appointing elders for three years causes the eldership to come to an end at the end of the three years and a new appointment to be made.

A.—Not necessarily so.

Q.—What is the meaning of it then?

A.—It is submitted to examinations simply; it may or may not be terminated then.

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Q.—As I read it it does terminate?

A.—Practically it has not done so; in a great many cases.

Q.—You don't know what the practice has been under this change in the New York discipline?

A.—Speaking of the discipline of Indiana.

Q.—We are not speaking of the discipline of Indiana ; we are simply speaking of the New York discipline there and here ?

A.—Whether they don't appoint them again or not, I have not been here long enough to know ; there is nothing in the discipline that makes it obligatory to dismiss them.

Q.—Now, the ancient practice, as I understand in the meeting was for all to wait for the movement of the Holy Spirit before speaking wasn't it ?

9770

A.—That was the profession.

Q.—To sit down in silence until the Spirit moved some one to speak ?

A.—That was what the Friends professed.

Q.—And the new doctrine is that it is not necessary to sit down at all, that you may have the Spirit, that the Spirit may be given to you before you enter the meeting sufficient to enable you to begin to speak on your entering the door ?

A.—I don't think that is any new doctrine.

Q.—Isn't that one of the points of difference between the two bodies in the States ?

A.—As regards profession, we don't profess anything different from that.

Q.—Then I suppose you think it is not at all necessary to sit down in meeting and wait for the motion of the Holy Spirit ?

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A.—We don't limit the spirit of God ; he may move anyone on entering the meeting house, and in such case it would not be according to our profession to disobey in that respect, and not to speak.

Q.—Will, you say there is any difference between the practical workings of that Doctrine recently and formerly ?

A.—I wouldn't say it was attributable to the Doctrines ; there is perhaps more speaking now than formerly ; perhaps less evidence. I think so, as far as my experience extends.

Q.—What is the difference between the two branches of the body in that respect on this point ?

A.—As you understand it.

A.—I don't understand that there is any difference at all in their profession or faith.

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Q.—Any difference in the way it is practically carried out or in which it practically works now ?

A.—I think it is quite evident that we have less silence than they do take us altogether ; but it doesn't necessarily follow that we have gone astray.

Q.—Now wasn't the old way that both Ministers and Elders and all, went to meeting and sat down there for a time before their was any speech ?

A.—That was the usual practice ; sometimes sit through an entire meeting.

Q.—Without any manifestation of the Spirit in the way of speech ?

A.—I am sorry to say it was true sometimes a person would go to sleep. I have seen that.

Q.—I suppose speech doesn't prevent that occurring sometimes ?

A.—I suppose not ; it didn't in Paul's day. There was one fell asleep and broke his neck when listening to preaching. 9790

Q.—What do you consider to be " waiting on the Lord " then ? A.—Doing God's will.

Q.—I mean in meeting ? A.—In the meeting or anywhere else.

Q.—Or " waiting on the Spirit " ? A.—Doing the Spirit's will.

Q.—I think you understand what I mean and I don't think you have quite answered me ? We are on the subject of meeting, and this practice of silent waiting for the Spirit ?

A.—Silent waiting would be waiting without speaking.

Q.—I want to know what you understand by that " waiting on the Spirit " or " waiting for the Spirit " in meeting ?

A.—" Waiting for the Spirit " would imply that one didn't have the Spirit, and must wait till the Spirit came to him. " Waiting on the Spirit " to my mind conveys the idea, that the child waits on me by performing my biddings that I make known to us as the servant of God ; as the servant of God I wait on Him and do His biddings. 9800

Q.—Well, would outsiders other than Friends have the notion that it was a practice among friends to sit silently in meeting and wait for the Spirit to move them to speak. I want to know what you understand by that, if I am correct in the notion that there was such a practice among Friends ?

A.—Certainly.

Q.—What do you understand by it ? A.—Simply as matter of fact.

Q.—What is the principle or practice or rule involved ?

A.—The principle involved was that they didn't recognize that they were qualified to proceed to any special act of vocal service, unless they receive a present sense of duty as impressed by the Spirit ; that is the principle involved, but at the same time that sense may be given them at one stage of the meeting or at another all the same. 9810

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Q.—What is the doctrine with regard to previous preparation for speaking or service in the meeting?

A.—The first preparation is to be converted, and the next sanctified and filled with the Spirit, and then for a minister to receive a gift and call from God.

Q.—Does the Friends doctrine sanction a previous preparation by a person to speak in meeting preparing himself before hand by reading or study as to what he would say, or prepare before hand what he was going to say?

A.—Perhaps not in the sense that you would understand that phrase, and yet in a certain sense. 9820

Q.—What is the doctrine on that subject then?

A.—The doctrine on that subject, or the belief of Friends on that subject is that a man must have a call from God in the first place, and in the next place, he must be specially guided by the spirit of God in the exercise of the gift that the spirit had bestowed.

Q.—Is it allowable for a person before going to meeting to prepare what he intends to say or means to say in meeting?

A.—I don't think it is quite in accordance with the Friends principles for a man to make up his mind that he will say or will not say, but God may make known beforehand what may be his pleasure for me to say, and in pursuance of that, it may be my liberty, and no doubt I think it would be my duty. 9830

Q.—For example in the Presbyterian body the minister generally beforehand prepares his sermon and preaches what he has previously prepared for that purpose—is that in accordance with the practice of Friends; is it allowable?

A.—Unless, I knew exactly just how their Friends were influenced, I couldn't answer the question.

Q.—I think it is a very plain and simple question?

A.—If they feel their minds directed to a particular subject and in pursuance of that, investigate that subject and store their mind with material drawn from the Scriptures with which to feed the congregation, I know of nothing in the principles and discipline of our church that would preclude such a preparation as that—going to meeting with the mind in that sense prepared; but if, after going to the meeting, it should be God's will at that time that that was not called for, why it would be his duty to put it aside—if it would be his sense of God's will at that time that that was not called for at that time, why it would be his duty to put it aside. 9840

Q.—Then it is not in accordance with the Friends practice to prepare beforehand a set discourse?

A.—Not to take it in our own hands, and say, I will preach this sermon, or that sermon, whether it be God's will or not; that is not in accordance with Friends views or practices.

Q.—Do you prepare discourses and write them out?

A.—No, not write them out.

Q.—Do you make notes of what you intend to say ?

A.—In my study of the Bible I make a great many notes.

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Q.—Do you make notes of what you intend to say at a particular meeting ?

A.—Intend to say, is a phrase I would not use; I wouldn't say I intended to say certain things.

Q.—You make notes of something, that perhaps you may say ?

A.—Of what I apprehend I may say.

Q.—You make notes beforehand of what you apprehend you will say at meeting ?

A.—I do that.

Q.—Now, is that in accordance with the ancient practice ?

A.—I can't answer what my predecessors have done before me.

Q.—Now, has it not been the ancient practice for all to go there as empty vessels and depend upon what the Spirit may do after they have got there as to whether they speak or not or as to what they speak or not speak ?

9860

A.—That is exactly what I profess to do now.

Q.—And yet you tell me that you are in the habit of preparing notes for the meeting ?

A.—Yes; but if I wait and go to the meeting I don't believe that is a thing that God wants me to say; I wouldn't say it; I would like to give my experience right here. I have sometimes a text on my mind expecting to speak on it, and I have taken another text. I hold myself perfectly free or try to do so to do what I may at the instant, believe is the will of God, whether it is to take a text that has previously been before by mind or one that is immediately before my mind.

Q.—You read the Scriptures in meeting ? A.—I do.

Q.—In ordinary meeting ? A.—Very frequently.

9870

Q.—When was that first introduced ?

A.—I believe I did it myself nearly 20 years ago; about the first that I personally saw.

Q.—And were you the first that did it ?

A.—I don't remember having seen anyone doing before myself.

Q.—Has that become more common now ? A.—O, Yes, very much more.

Q.—Is it now pretty common ? A.—Quite common in very many places.

Q.—Is that one of the points of difference between the two branches of the body ?

A.—We have had a great deal of testimony on that point that confirms that as a fact.

Q.—It is one of the points of difference ?

A.—It is one of the points of practical difference.

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Q.—And you practice it and you contend for its propriety ?

A.—I do under certain conditions ; not as a rule ; but as you may believe it to be the will of God.

Q.—Then about singing in meeting ; when was that first introduced ?

A.—Well, as it came under my immediate observation, it goes back somewhere in the tens of years ; this thing in the Friend's meeting.

Q.—When did you first practice it yourself ?

A.—I was among the first that practised it under my observation. I would not say I was the first.

Q.—In what way has it been the practice ? Do you sing yourself ?

A.—I make some attempts in that way.

Q.—In what way do you practice it in meeting ?

9890

A.—Sometimes I sing from memory what occurs to me as being the right thing.

Q.—Hymns that you have got by heart ?

A.—Yes, certainly I don't profess to sing any other way.

Q.—And other times ? A.—Sometimes I have an open book before me.

Q.—And sing from that ? A.—I do sometimes.

Q.—Just as we Presbyterians do ? A.—If you do that way.

Q.—In regard to congregations all singing a number of persons joining in the same singing ?

A.—I have seen that.

Q.—Is that the practice too ? A.—Very frequently.

9900

Q.—Now, is this another point of difference between the two parties in the Society ?

A.—From what they say, it is ; I have never attended their meetings very much—from what they say, it is.

Q.—You are pretty familiar with the discussion of these differences ?

A.—I recognised it speaking as we know, by common report as means of knowledge.

Q.—Are you familiar with this passage from Robert Barclay, “we meet, not to read the Scripture, but to wait on the Lord and be taught of Him and to receive from him the spirit what he pleaseth to administer in ourselves or through the mouths of His servants, and we meet to worship God whose worship is to be performed in spirit and in truth, and not in the external reading,” being extract at page 12 of the edition 1,692?

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A.—I think, I might say that I am familiar with it.

Q.—Mr. Barclay, I suppose is an authority among Friends?

A.—Well, he is, I regret to say, not in the strong sense that some people might put it—I would not.

Q.—You repudiate Barclay, do you? A.—I don’t say that.

Q.—That seems to be his doctrine, “we meet not to read the Scriptures, but to wait on the Lord”?

A.—I don’t accept him as an authority on a matter like that.

Q.—You don’t accept him as an authority in a matter of that kind, if he is stating a matter of fact, practice at that time?

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A.—I said I did accept him as an authority in a matter of that kind, if he is stating a matter of fact, practice at that time.

Q.—He says, “to wait on the Lord,” you understand by that expression “serve him”?

A.—It don’t necessarily imply that they are to do nothing.

Q.—“To wait on the Lord and be taught of him”? A.—Yes.

Q.—You understand by that expression “wait on the Lord” to “serve him”?

A.—That is the interpretation I give to the words; I should think so; I think that is the legitimate meaning of the phrase.

Q.—It means “service” there? A.—I should think so.

Q.—To “wait on the Lord and be taught of Him”?

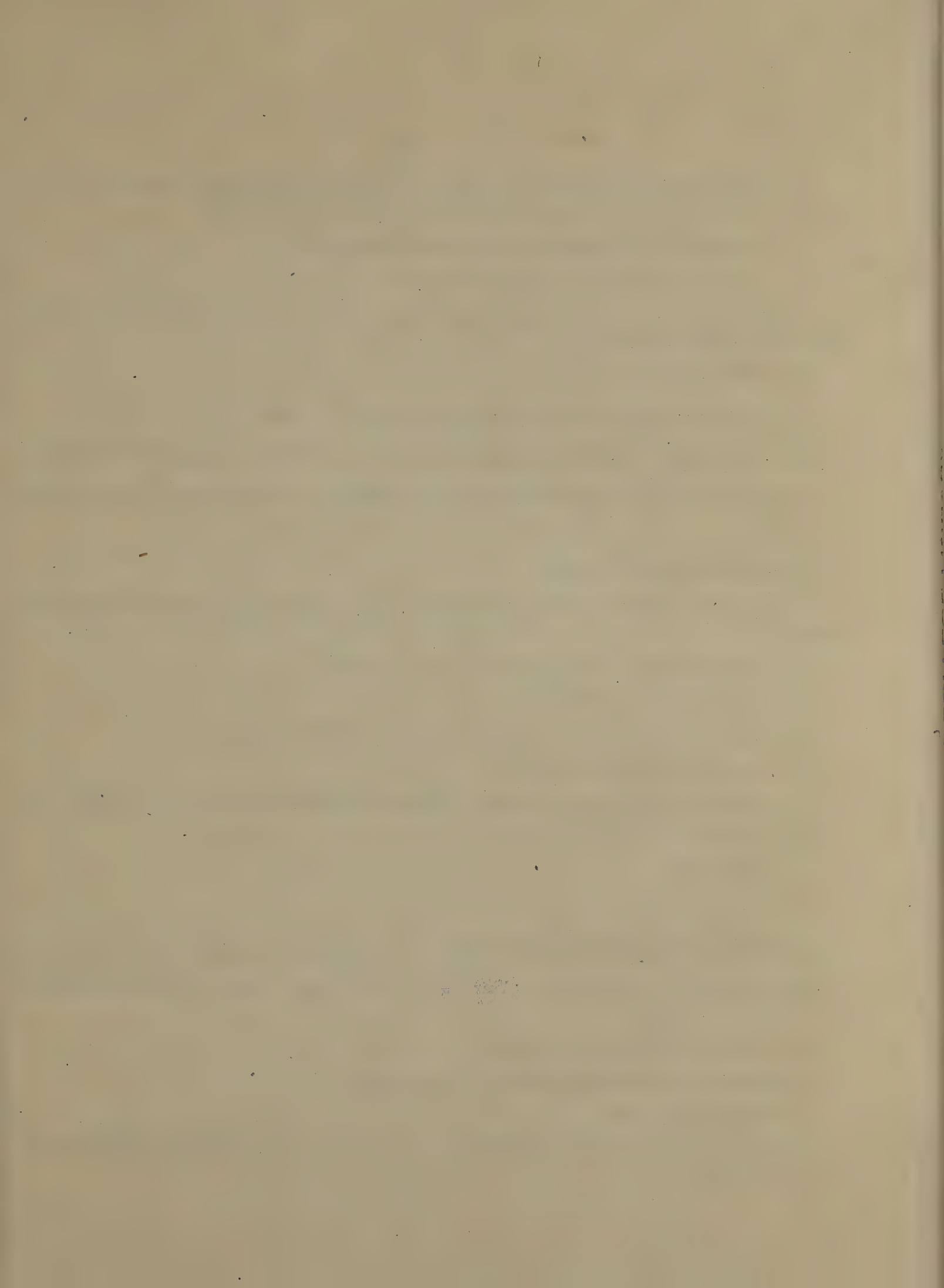
9930

A.—Do the Lord’s will; such waiting would make it the duty of one to read the Scriptures, if he made it known as His will according to the definition given there.

Q.—Now, do you hold what are called revival meetings?

A.—I have held a great many since I have been a minister.

Q.—Are these regular meetings—these revival meetings—regular meetings that are mentioned in the books the 1st day and 5th day meetings, or at other times?



A.—They have generally been held in the way of series of meetings, and continue from day to day, including such regular meetings as might occur during the progress of them.

Q.—How long would this series of meetings sometimes extend?

A.—I have held them as long as six weeks in a place.

9940

Q.—Now, is that the kind of service—itinerary service—that you used to go upon, that you told me of when I began to question you?

A.—It was in work of that kind.

Q.—It was in work of that kind that you were engaged? A.—Yes.

Q.—Your itinerary work was in the way of revivals? A.—Largely so within the last 12 years.

Q.—Now, when did that practice begin to your recollection? Does that go back into the teens too?

A.—Yes.

Q.—About how many years ago?

A.—Some such meetings began as long as 20 years ago I should think, as regards the continued meetings.

9950

Q.—These are what are called protracted meetings I suppose?

A.—Yes, they might be called so.

Q.—Similar to the Methodist's protracted meetings I suppose? Are they?

A.—I suppose there is some similarity.

Q.—And how have you been in the habit of intimating these minutes to the people, making them aware of it, of the intention to hold these meetings?

A.—Various ways.

Q.—As for example?

A.—My work has largely been—very largely been—in connection with Committees—either in New York Meeting where for the last ten years I have bestowed most of my labors. It was in connection with Committee appointed by Yearly Meeting; the Yearly Meeting appointed a Committee to hold general meetings.

9960

Q.—They are called Revival Meetings?

A.—They are not so called on the records of that meeting.

Q.—What are they called?

A.—General Meetings—Series of Meetings—perhaps the word Revival Meeting might appear in reporting sometimes.

Q.—Have you held Revival Meetings in Westlake?

A.—There were a few meetings held when I was there last winter.

Q.—Last winter you held Revival Meetings?

9940

A.—There was a Minister from Ohio who had credentials present, who, in connection with the local committee appointed the meetings, and I attended them. At that time I had no special credentials.

Q.—And you took part in that? A.—I did.

Q.—How long did that last?

A.—I couldn't be positive; not very many days; it was rather a short session.

Q.—10 days or 20?

A.—No, not that long; to the best of my recollection it didn't last over a week.

Q.—And you were there during that time?

A.—Yes; wouldn't want to be accurate about that, or attempt to be.

Q.—And it was organized through the Monthly Meeting?

9950

A.—The plaintiff's Monthly Meeting composed the committee in connection with this Minister.

Q.—To carry on this work? A.—They had a committee already appointed.

Q.—And the holding of these meetings I suppose was coming out at regular meetings?

A.—I think so.

—It was intimated to your—to the people that these meetings would be held?

A.—I think so.

Q.—And where were they held? A.—They were held at Bloomfield Meeting House.

Q.—That is, the Meeting House in question? A.—Yes.

Q.—Are these meetings Joint Meetings of men and women?

A.—O, Yes, certainly.

9960

Q.—Or separate?

A.—O, they are Joint Meetings; meetings for worship in which all—both sexes attend—and all classes are invited to attend—members and non-members.

Court.—Worship meetings are all joined are they? A.—Yes.

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1871

1872

1873

1874

1875

Q.—And I understood you to say that at these meetings individuals were called upon to pray and to speak ?

A.—I don't know that I said that, but I can say it.

Q.—Is that the way these meetings are conducted; tell me shortly how they are conducted ?

A.—Revival meetings in general.

Q.—Yes ?

9970

A.—They are conducted in the way of preaching the gospel and the singing of hymns, and liberating for general expression and prayer, and if there are persons that make known that they desire to tell their experience in some of the meetings—persons who ask for prayer are invited to a particular place, and we have a season of prayer for them—with them.

Q.—This is the mourners bench ? A.—That is what it is commonly called.

Q.—Just in the same way you have seen revivals in the Methodists ?

A.—Yes; there is no essential difference in the matters of which I speak.

Q.—Is that one of the matters of difference between the two branches of the body ?

A.—I suppose it is.

Q.—And you believe in instantaneous conversion then ?

9980

A.—I do; I don't believe in any other kind.

Q.—You believe that a sinner may in an instant of time be brought to a state of grace ?

A.—I believe it is God's will at any moment that a sinner should banish his sins.

Q.—Now, is that the old doctrine of Friends ?

A.—Well, as I understand their theology it is; when it comes to saying the old doctrine it would lead you through a great many books in which they might give definition that would bear a different construction.

Q.—Isn't that one of the points of difference between the two sections of Friends ?

A.—They say it is; they don't believe in it and I do, and we do—I am sorry they didn't.

Q.—Then you don't believe that conversion is a practice a gradual process ?

9990

A.—I wouldn't define it that way; there may be a process in connection with it.

Q.—If you believe in instantaneous conversion, then of course there can be no process; what is the function of repentance in connection with the conversion; what is its place; is repentance essential to conversion ?

A.—Why certainly.

Q.—And so you think there may be an instant of repentance?

A.—Yes I do; as I define repentance.

Q.—And conviction? A.—I do.

Q.—All these things may occur in one instant of time, and you think that is the doctrine of Barclay and Fox, and the founders of the Society of Friends—do you?

10000

A.—I don't want to confuse my meaning by confining it to many things; conviction may be protracted through a series of years.

Q.—But you believe in instantaneous?

A.—I believe in the possibility of instantaneous conversion whatever that involves.

Q.—And that it is of a common occurrence?

A.—I believe in no other kind than instantaneous conversion, as I understand the term; I can't conceive how it can be for a man to be partly a Christian and partly a sinner—partly pardoned and partly damned—partly born and partly old; he is either in Christ or out.

Q.—Now you say that regeneration and sanctification are two different things, and ought not to be confounded—what is your idea about that.

A.—Re-generation is the act of God's Spirit by which man is dead in trespasses and sins, and is created anew and brought to spiritual life.

Q.—And sanctification?

A.—Sanctification in its entirety and completeness is the cleansing of the heart from all sin.

Q.—Then you conceive that the two are distinct different things?

A.—Yes; I think the Scripture speaks that.

Q.—Is that the doctrine of friends—the doctrine of Barclay and Penn, and the others?

A.—As I understand their theology, they make a distinction between the two.

Q.—Now, are you acquainted with this passage from Fox, "Justification and Sanctification are one for Christ who is the Justification and Sanctification is one." Are you familiar with that passage from Fox's writings page 463?

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A.—It is quite possible I have read it, but couldn't say that I am familiar with it. I couldn't have recognized it as Fox, had it been read to me without the blame.

Q.—"Justification sets aside the work of sanctification for the new birth, but is one with it for justification, for they are justified—it is by Christ who is the sanctifier, and they who are in Him

witness new birth for as many as receive Him, Christ who doth enlighten every one who comes into the world—as many as receive Him ; to them gives He power to become sons of God ” ?

A.—Well, I accept the theology taught in that, but I would not define myself precisely in the same way, as I understand the theology I would accept it ; I might add too, that to accept what is acknowledged to be the views of a man, does not bind us to adopt all his specific definitions. 10030

Q.—Then you believe in Christ's personal appearance at the second coming ?

A.—I believe he will come as the Scriptures testify.

Q.—And you say that is the old Doctrine of Friends.

A.—I believe so ; I believe they believed that Doctrine and taught it ; whether all of them did or not, I couldn't say.

Q.—Fox, Barclay and Penn ? A.—I think they did.

Q.—Can you give me any authority for it ?

A.—Well, I have not the book at hand, and I don't know that I could give any accurate quotation ; that is the impression I have imbibed in reading their works. 10040

Q.—Is that the Doctrine you were taught from the time you became a Friend ?

A.—I was born a Friend and can't remember the time when I didn't believe that Doctrine.

Q.—Were you taught that Doctrine in your Society ? A.—I think I was.

Q.—You are not sure ?

A.—The preaching in my early life was not largely of an expository character, but a few Ministers I was privileged to hear, held the view and taught it ; a great many of them were not Doctrinal Preachers at all ; they were rather exhorters and not expository preachers.

Q.—And you have evidently not made yourself much acquainted by reading the writings of the fathers of the Society ?

A.—I don't know why you should infer that. 10050

Q.—Because you say when I ask you that you can't refer me to any authority for the Doctrines that you have mentioned ?

A.—I couldn't give any specific quotation from memory.

Q.—And you have only derived it you say from preachers who were not Doctrinal Preachers ?

A.—From reading their works I said.

Q.—Is this one of the points in which there are differences between Friends as to the second

coming, between Plaintiffs and Defendants?

A.—They say they don't believe it; I believe they repudiate the doctrine which we hold.

Q.—And that is one of the differences among you in the States too?

A.—I suppose it is to a greater or less extent; it is much more generally believed now, I think 10060 than it used to be by Friends there.

Q.—You think your view is more general now than it used to be? A.—I think it is.

Q.—Your view is gaining ground you think? A.—I think so.

Q.—Is there any difference on the question of the resurrection?

A.—I presume there is; they say they don't believe in the resurrection.

Q.—What is your belief and the belief of those that you go with on the subject?

A.—I believe in the resurrection both of the just and the unjust.

Q.—You believe in the resurrection of the same body?

A.—In answer to that, I would say as I have said in a book which I have written, as nearly as 10070 natural and spiritual can be the same.

Q.—Have you a definite belief on that subject—the subject of the resurrection of the body, and if so just state what it is?

A.—I believe that there may be a resurrection both of the just and the unjust, and the Lord shall descend from heaven with a shout.

Q.—If you have not a distinct definable belief?

A.—Well I have a belief, but it is drawn from and founded in the Scriptures and must be defined and the language which is authority for my belief.

Q.—Is it your belief that the identical bodies that we now inhabit will be raised in the resurrection?

A.—I believe in the resurrection of the body; I am not in the habit of using the words, these 10080 identical bodies, and putting a great many spiritual words in connection with it; it is a subject that I handle as nearly in the scriptural as I can; but I don't believe resurrection takes place when the soul leaves the body and goes to heaven; I don't believe that is the resurrection that is spoken of.

Q.—Now there is a difference between the two branches on that— isn't there?

A.—I have answered that question, that they say they don't believe the doctrine as they have heard me preach it and others preach it; some who are here among the Friends have openly opposed my views as I presented them on that subject.



Q.—Your views have been openly opposed by some of the Friends, the defendants on that subject? A.—Yes.

COURT.—You say that the Friends don't believe in the resurrection of the body?

10090

A.—When I presented my views on the subject, they were opposed: they opposed my presentation of them: I don't venture to speculate on unrevealed particulars.

Q.—What is your belief of the condition of the soul between death and resurrection?

A.—I believe if I die in the Lord and have faith in the Lord Jesus Christ, and he will receive me to himself, and I shall be in a state of conscious happiness.

Q.—During the interval?

A.—I do: on the other hand, those who die out of Christ will be in a state of conscious unhappiness.

Q.—Then as to unity or majority you say that when there is a majority in favor of any proposition it is the duty of the minority to submit and the clerk has no business to make a minute until some result has been attained? Is that what you say?

10100

A.—I feel it to be my duty always to speak in submission.

Q.—I understood you to say that when there was a proposal before a meeting of friends, that it was the duty of the minority to submit when they found that they were in a minority. Do I understand you to say that?

A.—I can hardly see how it could be otherwise unless the majority or part of them yielded the point in deference to their feelings and judgment.

Q.—The matter might drop? A.—That would be yielding.

Q.—The matter might be deferred?

A.—There is various ways of disposing of the matter.

10110

Q.—Do you adhere to what you said in answer to my learned friend, that it was the duty of the minority to say when they found they were in the minority, to submit to the views of the majority?

A.—I have answered that; I hardly see how it could be otherwise.

By Mr. BETHUNE:—

Q.—When a discipline is changed by one Yearly Meeting would the Epistles passing between it and the next Yearly Meeting of the other bodies indicate the fact of the change of discipline?

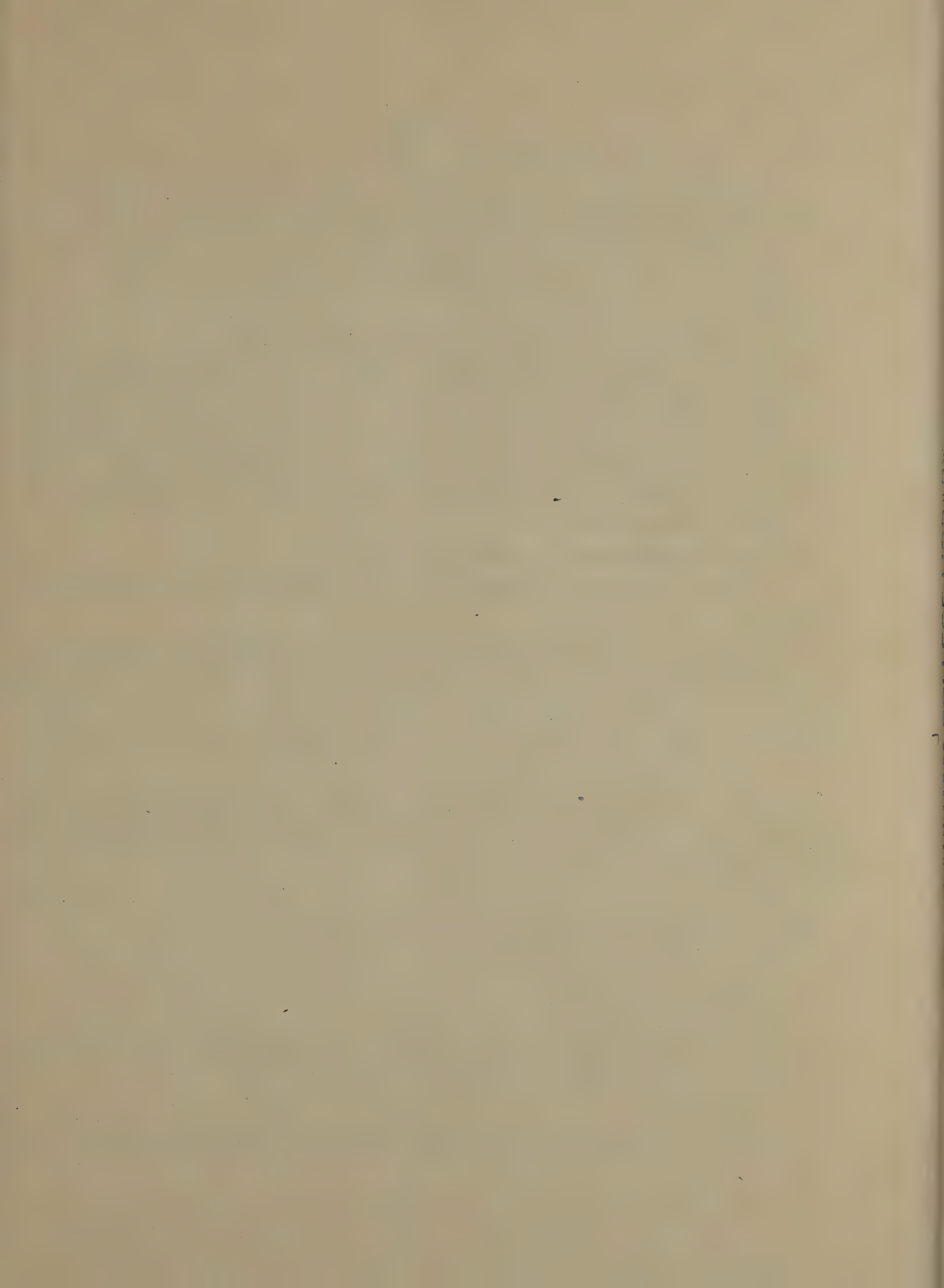
A.—I think they usually do.

Q.—If they wished to see the discipline then, it would be open for them to see a copy of it?

A.—Yes, I think it is usual to send with the correspondence of other meetings copies; where changes in the discipline are made.

10120

Q.—Referring to page 104—I ask you whether you preach what you are constrained to preach—what is the constraining motive?



A.—It is enough to mention that it is the will of God.

Q.—Are you, or are you not to any extent induced to preach at Toronto by the offerings which your Friends have given to maintain your family?

A.—Induced to move.

Q.—Yes? A.—No.

Q.—Do you receive what you do receive as compensation for preaching?

A.—I don't; with that view, I should feel that I was hired to preach and must comply with the contract; as it is, when I am called of God to that particular place, and what Friends do generously 10130 is to supply the necessary means for me to accomplish the work; it is the same thing in principle as supporting a missionary in a foreign field who leaves home at a greater distance—I don't think the distance has anything to do with it; Friends for years have supported their ministers in other fields; for instance we have one in Mexico regularly supported by the church, because he is dependent and has no means of support of his own.

Q.—So the Friends have supported missions of that kind?

A.—Yes, the principle involved exactly the same; the locality has nothing to do with it as I understand.

Q.—Now, my learned friend read you an extract from Barclay, about the subject of reading the Scriptures, and I find on page 360 this statement. They allege that Christ took the book of Isaiah and 10140 read out of it, and therefore I answer that Christ and Peter did it not, but as immediately acted on and moved thereunto by the Spirit of God, and that the family in each case would willingly approve of it. Now, do you when you read the Scriptures read them in any other way than that?

A.—I do not; I have a uniform rule about it; I very often pass the meeting without reading and at other times I feel it my duty too. I feel it to be right to read, and I read, and that is the way I understand the principle of our Church; that is, not to pre-arrange what you will do or will not do, but hold yourself free to do anything that may be a thing right within itself which God may require.

Q.—Now, looking as to the statement as to the resurrection in discipline '59, do you accept that as the proper exposition of your understanding of the resurrection? 10150

A.—I accept it I think; it has not been long since I read it; I take no exception to it.

Q.—Reading from page 22 of the discipline of '59?

A.—That is the way I usually present the Doctrine; I sometimes present other texts that are not embodied there, but as near in the language of Scriptures as I can get it.

By MR. MACLENNAN.

Q.—I forgot to ask you whether, when you came over in '82 you brought a certificate with you?

A.—No, I didn't.

Q.—How was that?

A.—Well, I didn't apply for any ; it is not an unusual thing—a thing I have frequently done—gone to a neighborly meeting simply as a privilege.

Q.—You had some kind of a certificate I believe?

10160

A.—No, not at that time ; not in '82.

Q.—Were you refused a certificate at any time?

A.—Not to attend Canada Yearly Meeting.

Q.—Were you refused a certificate at any time?

A.—I was refused a certificate for some other service, minor service.

Q.—Why? A.—You must ask the Friends who objected I suppose.

Q.—Because you were not in unity? A.—You must ask them.

Q.—Was it because you were not in unity? I suppose you took sufficient interest in it to know why you were refused.

A.—You must ask them why.

10170

COURT.—When was it you were refused? A.—About a year and a half ago I believe; I ain't positive.

Q.—When you came over in '82? A.—Yes; subsequent to that I believe.

Q.—When you came to Toronto? A.—No.

Q.—Did you get a certificate at that time?

A.—I got a certificate of membership and presented it in the usual way to the Monthly Meeting.

Q.—It was because you were not in unity then that you were refused your certificate?

A.—You must ask them why.

Q.—I want the reason as far as you know it?

A.—I suppose there was some that didn't have unity with some things, I had said; was there 10180 ground; the facts are that 7-10ths of those that spoke at all spoke in favor of it and 7 or 8 spoke in opposition, and the Clerk being one of the opposers it was withheld.

Q.—The matter was before the meeting for some time?

A.—No, that matter was laid over to be brought up the next month that the objectors might know what their objections were.

By Mr. BETHUNE:—

1-1-75

The following information was obtained from the files of the Department of the Interior, Bureau of Land Management, regarding the land in question.

1. The land in question is located in the State of California.

2. The land in question is owned by the State of California.

3. The land in question is situated in the County of Los Angeles, California.

4. The land in question is situated in the City of Los Angeles, California.

5. The land in question is situated in the City of Los Angeles, California.

6. The land in question is situated in the City of Los Angeles, California.

7. The land in question is situated in the City of Los Angeles, California.

Q.—What was the certificate for that you applied for; or that minute?

A.—The certificate was for a comparatively local service attending and appointing meetings in my immediate vicinity and visiting families in my Monthly Meeting.

Q.—And you say 9-10ths of them were for giving you the certificate?

10190

A.—I should think so—I think the largest expression of unity that I ever heard expressed, and I think there were seven including the clerk, that were opposed, to the best of my recollection.

Q.—And in consequence of that, the clerk didn't make any minute of it, and the thing stood over?

A.—The clerk himself being in opposition.

Q.—Did that involve any attempt to exclude you from the membership or anything of that kind?

A.—No.

Q.—Was it after that that you got your ordinary certificate of membership to come to Toronto?

A.—Yes.

COURT.—What meeting was it refused by?

A.—The Monthly Meeting; the ground of their opposition was a misapprehension of some things I had said on the subject of baptism; they were pretty sensitive on that. 10200

Q.—And you say it was a misapprehension?

A.—Oh Yes, I satisfied the Friends, and the subject was dropped.

DAVID UPTOGRAFT sworn for Plaintiffs, testified as follows:

BY Mr. BETHUNE:—

Q.—Do you belong to the Society of Friends? A.—I do.

Q.—What Yearly Meeting? A.—Ohio Yearly Meeting.

Q.—Are you a Minister? A.—I am.

Q.—How long have you been such? A.—Perhaps 12 years or more.

Q.—Was your father a Minister of the body?

10210

A.—He was an Elder; my mother was a Minister.

Q.—And your grandfather a member of the body too? A.—Yes, and a Minister.

Q.—Where have you ministered as a usual thing I mean?

A.—In the congregation to which I belong, and in which I have been reared; at Mount Pleasant, Jefferson County, Ohio.

Q. Now, as the greater portion of your military work done in O.S.
times
A. I suppose the greater portion of it was done in this way
was kind a good deal as an evangelist

BY MR. BETHUNE :—

Q.—Your body is the Orthodox body of Quakers ? A.—Yes.

Q.—It is in sympathy with the English and Irish bodies ? A.—In accordance with them.

Q.—And with the other American Orthodox bodies ? A.—It is.

Q.—How long have you been familiar with the doings of the Society ?

A.—All my life—since I have been familiar with taking cognisance of those—of such things at all. 10220

Q.—Now, have you visited any or all of the other Yearly Meetings in America ? A.—All of them.

Q.—And how long are you familiar with the New York Yearly Meeting and their doings ?

A.—Reasonably so.

Q.—Were you there at the time the discipline was last revised, in '77 ?

A.—I am not sure that I was.

Q.—Now, have your Yearly Meeting revised their discipline ? A.—Different times.

Q.—And what body made the revision ? A.—Yearly Meeting.

Q.—Have you more than one Yearly Meeting in Ohio ?

A.—That is all ; we have a body of separatists there that call themselves the Yearly Meeting ?

Q.—When did the Separatists leave you in Ohio ? A.—In '54 I think. 10230

Q.—And what is about the number of your membership in Ohio—your body ?

A.—About 4,000 I think if I recollect properly.

Q.—Now, has the greater portion of your ministry been done in Ohio, or outside of it at various times.

A.—I suppose the greater portion of it has been in Ohio within my own meeting, but—I have travelled a good deal as an evangelist.

Q.—Have you during the last 12 years given up your entire time to the work of the ministry ?

A.—Almost exclusively.

Q.—And have you endeavored to inform yourself as to the history and writings of the Society ?

A.—I have. 10240

Q.—And I suppose consider yourself competent to speak as to these things ? A.—Yes.

Q.—Have you examined this book of discipline, '59 that we have here, and the book of discipline

of '80 or '77 ; New York as it is called ?

A.—Not critically.

Q.—Have you examined the Doctrinal portions ? A.—Some few portions I have compared.

Q.—To the extent to which your comparison has gone, have you discovered any difference between the two in substance ?

A.—There is some difference in the phraseology, but no important difference in the Doctrine or in the usage that I have been able to discover ; perhaps with one or two exceptions that might be considered by some important, but from my estimation, as I stated.

10250

Q.—Now what are these one or two things ?

A.—I should refer to the matter of the elders as being that which is esteemed by many as being quite a difference—not, however, in my own estimation a matter of very great difference.

Q.—Now, has a change in that respect been made in the Ohio Yearly Meeting as to the appointment of the elders ?

A.—Some change has been made in Ohio Yearly Meeting, not precisely the change that has been made here, though this change has been made and is prevalent in most of the other co-ordinate Yearly Meetings just as it is here ; which simply implies the revision from time to time of the body.

Q.—What is the practice in passing things at the Yearly Meeting—passing minutes or resolutions as they are called in ordinary matters, so far as this matter is concerned ?

10250

A.—Perhaps I ought to state the principle first ; the principle that obtains amongst Friends is to aim at unanimity of sentiment full accord. The normal condition of the Church is presumed to be one in which whatever diversity of sentiment may exist between the members ; that when they have expressed themselves fully, they are always supposed to be presumed to be in dissession. "Speak in submission" is the phrase that is usually used ; so that when questions are discussed, the minority are always presumed in a healthy and normal condition of the Church—they are always presumed to wish that the Clerk should collect the sense that prevails, and understand them to be acquiescing in it, so as to make it the unanimous decision of the meeting, they don't presume that political bodies shall be in advance of them in matter of courtesy of that kind—in a healthy condition.

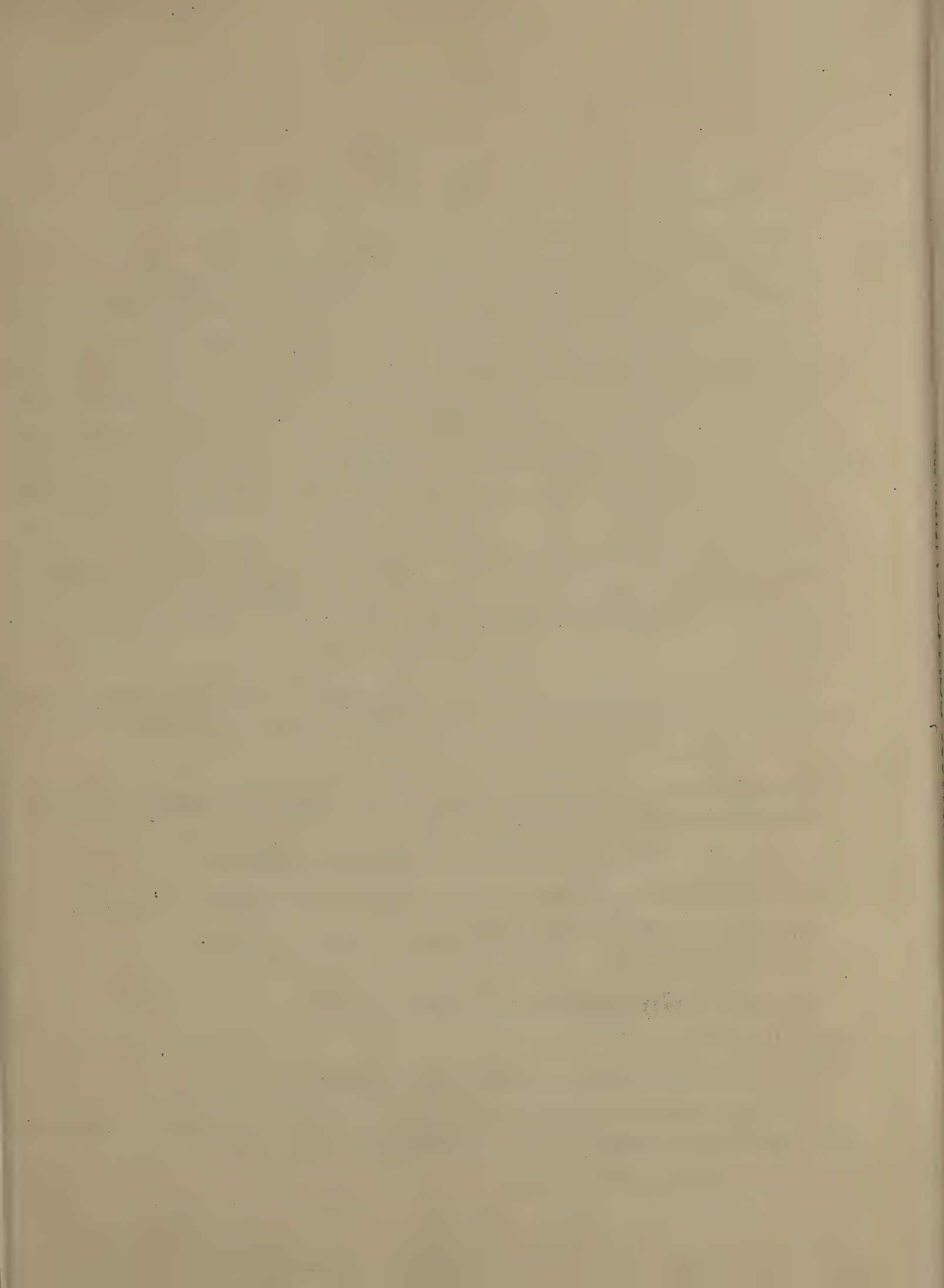
Q.—The clerks' office then seems to be an important one ? A.—It is.

10260

Q.—And when the clerk has endeavored to ascertain, and has made a minute of what he has ascertained as being the sense of the meeting, and has read that, and no objection is made openly to it—what is the effect of that ?

A.—It becomes law from which there is no appeal, for there is no higher court.

Q.—Do you know where this rule has been acted upon, of the minority yielding, in fact, to the wishes of the majority as expressed in that way ; you had experience of that yourself ?



A.—Frequently.

Q.—In your own Yearly Meeting ?

A.—I have witnessed this to be the case to a greater or less extent all my life ; in the introduction of subjects, even in the healthiest and best days of the church, a division of sentiment was not at all unusual, and erroneous presentation and opposite view was very common ; after, however the subject had been examined and the various views presented, it was then the current wish of all the Friends that the clerk should decide what was the prevailing sense, and those in the minority would always consider themselves—wished to consider themselves as being acquiescing ; it is only in an abnormal condition brought about by an exciting state of affairs that the obstinate and persistent pressing of a view has obtained within the last few years ; I might further state as to my own observation in our own Yearly Meeting in years that are passed—the same difficulty in its doctrinal phase existed in the Ohio Yearly Meeting, the difficulty upon which brother Woodward was catechised and answered—a different doctrine without the question of usage or custom so much, there was not so much of that ; for about 10 years there was a large minority in my own Yearly Meeting, who year after year protesting as the best they could against the course that was pursued, were compelled to submit to it, because of the decision of the clerk and the minutes made, and did acquiesce in it, and they did that from year to year for 10 years, knowing that no other course was open to them, except to appeal to the next Yearly Meeting or revolution ; and they preferred not to revolutionize, and so waited.

Q.—You are familiar, of course, with the creed as I understand it, or perhaps, I had better call it the creed with the theology professed by the Plaintiffs Yearly Meeting and their Friends ?

A.—I think I am.

Q.—Do you discover there anything opposed to the early teachings of Quakerism as you have learned them from the writings and words of the early founders of the Society ?

10290

A.—I don't ; it is discoverable only in the perversions of their statements.

Q.—You have listened, I think attentively, to what Mr. Woodward has said ? A.—I have.

Q.—And do you agree in all respects with what he has said as to doctrine ?

A.—I think substantially.

Q.—And as to the practice and usage ? A.—I think substantially.

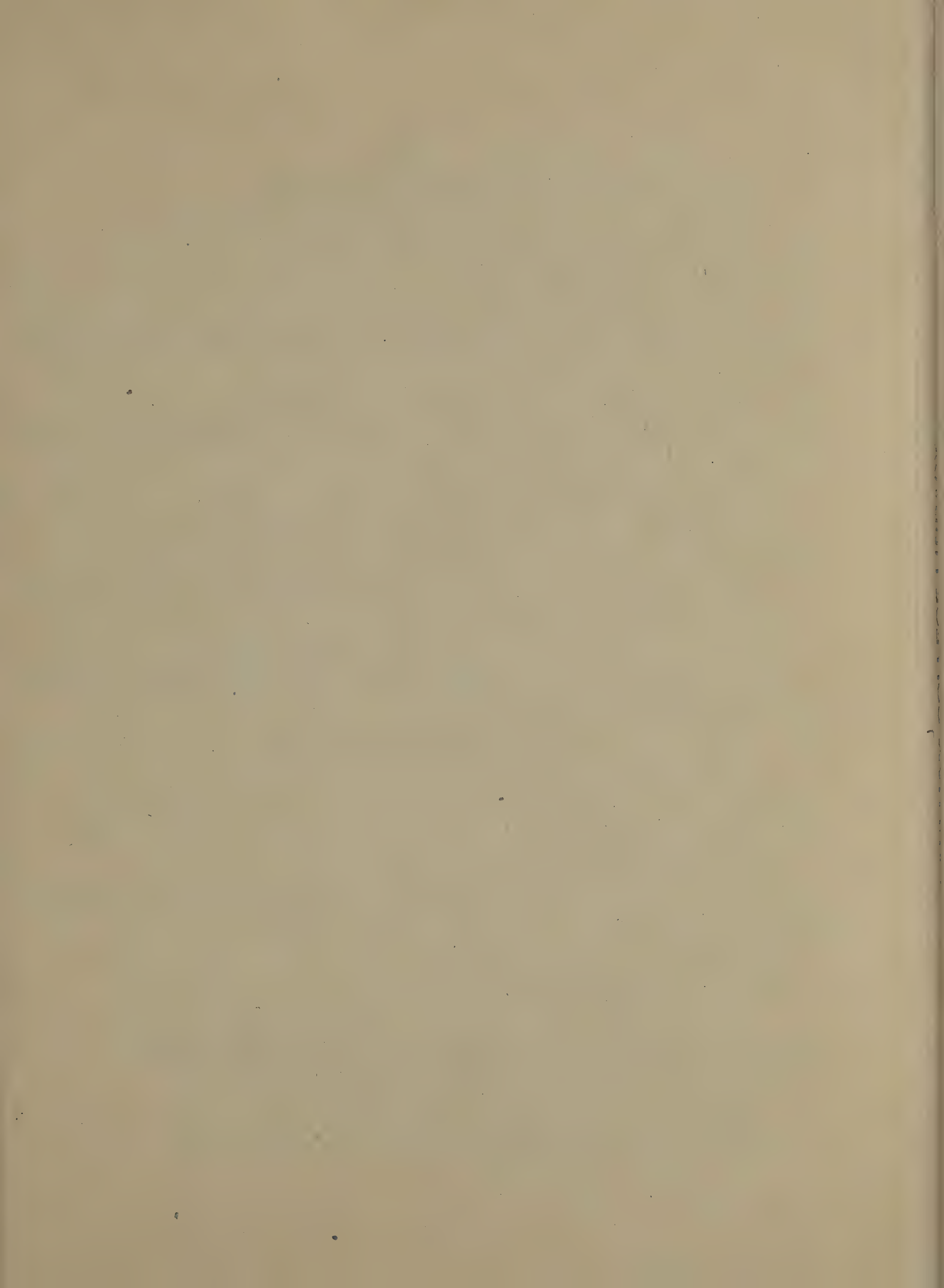
By Mr. MACLENNAN :—

Q.—You have been itinerating some in the course of your ministry ?

A.—Not in the ordinary acceptation of that term ; my residence has always been in the same place ; I have travelled visiting churches from place to place.

Q.—You have a permanent residence ?

10300



A.—My permanent residence is just where I have been born and reared.

Q.—I understood you to say when you went abroad, you went as an Evangelist?

A.—Often travelling in that capacity.

Q.—What do I understand by that?

A.—Well, holding gospel meetings for the especial purpose of the conversion of sinners and the edification of the church.

Q.—Amongst the Friends? A.—Yes, and sometimes amongst others.

Q.—You belong to the same section of Friends as the gentleman who has preceded you?

A.—I do—not to the same Yearly Meeting at all, but to the same Society.

Q.—That is, relative to these divisions that have been spoken of? A.—Yes.

10310

Q.—And you have had these divisions in your own body as they have had them in Indiana?

A.—There is a close analogy—not precisely, but there is a close analogy; our division was in '54.

Q.—The line cannot be drawn exactly in the same place?

A.—The distinction is chiefly in this; in the Wilburite schism in '54 it was grounded altogether on irregularity of disciplinary proceedings which arose out of the doctrine; there was no question of usage such as is complained of in the present time.

Q.—Then there has been a division in Ohio? A.—Yes, there was.

Q.—When was that? A.—In '54.

Q.—A complete separation? A.—Yes.

Q.—Separately Yearly Meetings set up?

10320

A.—So called separate Yearly Meetings; it has never been recognized as such by any body of Friends.

Q.—You know that? A.—I know that.

Q.—It is a good deal to know?

A.—I will not go beyond the record; it was recognized by Philadelphia Yearly Meeting for one, two or three years, so far as to write them letters, but that was subsequently suspended.

Q.—Philadelphia does not correspond with any? A.—With anybody.

Q.—And it has ceased to correspond with these as well as with the others? A.—Yes.

Q.—Leaving all the other Yearly Meetings to itself?

A.—And all the other meetings leave it to itself.

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Q.—Has the Philadelphia meeting taken up the new practices that have been spoken of?

A.—No, I think not, and they are not likely to.

Q.—Now, were you ever in Canada before the present time? A.—Yes

Q.—On any duty? A.—Yes.

Q.—As an Evangelist?

A.—Well, I might more properly say as visiting the Church merely. I have never held in Canada any series of Gospel Meetings.

Q.—Have you visited Westlake?

A.—I have never; I visited the Yearly Meeting at different times—several different times.

Q.—When did these Gospel Meetings that you have spoken of first begin? These kind of meetings you have been holding? 10340

A.—About the rise of the Society in 1650, as near as I could tell.

Q.—And they have been practiced ever since? A.—No; I wouldn't say that.

Q.—I am speaking of recent times?

A.—Well, recent times; I think they have within the past dozen years; I would not call it longer than 12 or 13 years—the Revival Meeting.

Q.—About the time you became Minister? A.—Yes; about.

Q.—And have you practiced them during all that time? A.—Yes

Q.—You were one of the first were you? A.—Yes; I suppose one of the first.

Q.—You have endeavored to promote the spread of these meetings as much as you could, and the use of them? 10350

A.—I have endeavored to promote the spread of the Gospel:

Q.—And the holding of these meetings? A.—Yes; I have held a good many of them.

Q.—You have advocated wherever you went the holding of these Revival Meetings? A.—Yes.

COURT.—And you say these are a revival of the practice in the early ages of the body?

A.—Yes; as I understand it.

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Q.—And you have been one of the chief advocates and promoters of the practice of holding Revival Meetings wherever you went?

A.—You won't make me say I am chief will you?

Q.—One of the chief—one of most active? A.—Amen, as we sometimes say.

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Q.—And your practice and proceedings have been similiar to those that have been described by Mr. Woodward?

A.—Yes, I suppose as near as I remember.

Q.—You hold not only Revival Meetings, but protracted meeting? A.—Yes.

Q.—Extending for weeks together continuously day after day and night after night?

A.—Sometimes. I seldom tarry longer than ten days or two weeks.

Q.—Did you at any time go to Philadelphia Yearly Meeting.

A.—Oh, Yes.

Q.—And were you received there?

A.—Not very well; they don't like our kind there.

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Q.—You were refused permission to the usual permission to join the Yearly Meeting and take part in it?

A.—I never made application to join.

Q.—In what respect were you not received well?

A.—Well, simply a sort of moral ostracism that is brought to bear, you know—nothing outward; repression.

Q.—They disapproved of something in connection with you—what was it?

A.—Pretty much everything I reckon; I suppose so.

Q.—In what respect?

A.—Well, I suppose they would not approve of my doctrine, I expect they would find the same difficulties with doctrine that have been suggested here.

Q.—Your doctrine in short is different from theirs?

A.—Yes it is, I am happy to say; we hold that they have departed utterly from both faith and practice.

Q.—Now your idea is that you are reviving something that was taught and practised at the commencement of the church?

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A.—That is our thought exactly.

Q.—How far back do you go to get it to get the authority for these practices?

A.—We just go back to the old paths—go back to old Father Fox.

Q.—And how long have these—the church departed from these practices and doctrines; which you 10390
are now endeavoring to establish for the first time?

A.—The lapse and the decay of the church commenced about 1700 very soon after its establishment; indeed, the London Yearly Meeting before Fox died, they had gone so far as to reject one of his papers, and refused to read it in the morning meeting in London, but about 1725 the church had introduced lay eldership, a thing that had never been known from its commencement and birthright membership in order to keep itself alive, and then was the decay fully, lapsing fully set in.

Q.—From 1725 to 1870?

A.—Yes, well the revival of the original doctrines of Friends began much earlier than that; in 1837 I think it was that Joseph John Gurney an eminent minister of England, London Yearly Meeting began to publish books reviving the ancient doctrines of Friends, that he claimed had been per- 10400
verted and distorted by accretions of ages and traditions, and he published books and preached and travelled extensively in this country, so that the original revival—

Q.—He made a division? A.—No.

Q.—But the division resulted?

A.—John Wilbur made the division.

Q.—A division resulted?

A.—Yes, resulted from the obstinate and blind opposition to the truth.

COURT.—When?

A.—I can't state accurately, but about 1837—I think about 1840; I will not be accurate about the year that he travelled in this country. 10410

Q.—Well then when you began your ministry, you began to endeavor to set the body right in regard to a number of matters?

A.—Well, if you state that as an explicit object, that was before my mind I disclaim.

Q.—What did you begin to do?

A.—I began to do the will of God by day, the best I could apprehend it, having no special aim so far as the sight was concerned in the case.

Q.—Among other things you didn't find this practice of Revival in existence? A.—I didn't.

Q.—And you started to establish or promote them didn't you? A.—Yes.

Q.—You didn't find singing in the Churches practised? A.—No, I didn't.

Q.—But you immediately began to practise? A.—Yes; I turned to the old paths you know. 10420

Q.—And you promoted that all that you could?

A.—Not all that I thought was right; I will not say, all I could; I might have done differently or more perhaps, but I have contended that singing began in our church with George Fox—that he himself sang.

Q.—And you have endeavored to spread that doctrine?

A.—I endeavored to spread that principle—yes.

Q.—And the reading of the Scriptures in meeting, also you didn't find that out; you didn't find that when you began?

A.—I didn't find it, but I found it when they began.

Q.—And you have endeavored to spread that as well as you could both reading and singing? 10430

A.—I want to be a good follower of Fox.

Q.—Both reading and singing you have endeavored to spread as well as you could?

A.—Yes, I believe with Robert Barclay that the Scriptures are only the outward test of doctrine; his own language is “we do look upon the Scriptures as the only—only the outward judge of controversies among Christians.”

Q.—With regard to the appointment of elders, you said that, what that meant was merely a revision of the body of elders, and you don't read it as it does literally—do you—it says elders shall be appointed for three years, and the effect of that would be that at the end of three years a person would cease to be an elder, unless he was re-appointed?

A.—That is true; that is what I intended to include in the term ‘revision.’ 10440

Q.—So that re-appointment has to be made every three years in your view? A.—Yes.

Q.—And the function ceases at the end of the time, unless there is a re-appointment?

A.—I suppose that would be it.

Q.—With regard to this doctrine of unanimity at meetings—what you say is that Friends always aim in meetings at unanimity?

A.—That is the desirable thing.

Q.—If there is absolute unanimity, of course, it is the desirable thing. A.—Yes.

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Q.—The object is to come as near to that as possible? A.—Yes.

Q.—Now, suppose a considerable number of brethren conscientiously oppose a proposition that is being made, are they not at liberty to adhere to their conscientious opposition; is there anything in your polity requiring them not to persist in the conscientious opposition to a proposal that is being made? 10450

A.—I couldn't say there was anything in the polity, there is that in the genius of our government and the institution of the church.

Q.—Where do you find it?

A.—I find it for example in a definition that Benjamin C. Bowen gives of a true Quaker.

Q.—Who is he?

A.—He was a minister, an aged minister of the London yearly meeting whose name is familiar to all of these dear friends who travelled in this country, a number of years ago a venerable man of God whose word would be authority either of them I am quite sure, and I read from him that a true Quaker is the man who having been brought to tremble before the Lord at the sight of himself which 10460 is given by the light of His spirit has entered by Christ the door into the true sheepfold, and having obtained forgiveness of sins through faith in his experience and sanctifying influence of the Holy Spirit follows the voice of the Chief Shepherd in all things and goes in and out and finds pasture and brings forth in life and conversation much fruit unto holiness; and then I quote from Edward Burrough who says, "our whole church consisteth of such members as have the body of sin put off and Christ, the new man put on." Robert Barclay maintains then putting these facts together, that those who are in Christ Jesus are brought by the Spirit into a unity of spirit and it was upon that presumption that our Church was left without a formulated human creed, simply taking the Bible, as we heard this morning.

Q.—Then unity is to be had?

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A.—Unity is to be had with the Church in that normal condition, salvation.

Q.—Now, you have a meeting composed of 100 or 200 people before whom a proposition is laid—I presume it is laid before them for their consideration?

A.—Yes.

Q.—To form the best judgment they can? A.—Yes.

Q.—And the object is to endeavor to see whether they are at one on that subject isn't it?

A.—Yes.

Q.—If they are at one it is all right? A.—Yes.

Q.—But suppose they are not at one what would be the reasonable course to take in order that

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they might come to one; we were told here yesterday that the course that was ordinarily pursued was 10480 to let it stand over to another meeting for further reflection—further consideration—further waiting for the Spirit among Friends—further work of the Spirit among Friends on this subject. Well, suppose that at this first meeting they are not able to come to one? what should be done?

A.—I have said, in the ordinary healthy condition of the Church, these propositions come before it; they not unusually provoke; the opportunity is given for the largest expression, and those that prefer the different courses are allowed to advocate them; the best of them can prevail upon the judgment of others to any extent that they may be able to, and then the time comes when the Clerk calls upon the meeting to express the sentiment pro and con upon the passage; discussion having been taken upon approval of the measure. Now, under all circumstances, shall this prevail or shall it not? That voice is taken; it is then expected that all those that have spoken in dissension and submission one to 10490 another, and that whatever the Clerk may find to be the prevailing or preponderating voice of the meeting shall be ratified by the whole; that is the form.

Q.—But suppose they don't?

A.—Now then we reach an irregular or abnormal condition of things, and you will find that illustrated in the remarks I made concerning our own Yearly Meeting for a number of years; where the matter was submitted to and postponed from year to year; that was in Ohio.

Q.—Why was that done?

A.—It was done because the minority were compelled to submit to this course.

Q.—Why was it put off? You say it was put off from year to year?

A.—No, you misunderstood me. The decision that were arrived at by the bare majority and re- 10500 corded by a clerk in sympathy with them were the law of the church, and there was no redress, but when the time came—the time comes when in the discussion of these affairs the condition of thing is such that in order to proceed at all, the preponderating voice of the meeting must be taken, and the clerk has been in the practice of so ruling in all of the Yearly Meetings, wherever these questions have arisen.

Q.—He has been, in fact, recording the voice of the majority?

A.—Practically, the prevalent voice.

Q.—Although the others didn't withdraw or submit?

A.—In this unhealthy condition, that is precisely the case.

Q.—That was the method that was invented of carrying a matter over the heads of those who 10510 dissented from it, without there being any real unity?

A.—Yes, I think so.

COURT.—That is in cases you say, which were of urgency? A.—Yes.

Q.—Was there any necessity for passing the revision in that way ; was it not within the bounds of reasonable prudence to allow it to stand over for one year to enable brethren who were not in accord with it to examine the revision ?

A.—According to the judgment I have from the limited knowledge that I have, I should say that as near as I have been able to learn from the testimony given the action of the clerk was all regular, and according to usage, I have not been able to see that there was any persistent or erroneous objection.

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Q.—You are speaking of this case ? A.—Yes.

COURT.—You have heard the evidence that the meeting was nearly equally divided ?

A.—Yes, I have.

Q.—The Yearly Meeting was nearly equally divided and the minority were anxious to have a postponement of the consideration of the new rule and new law that was desired to be introduced—was it not a reasonable or wise course to have pursued to have adjourned it for a twelve month to the next Yearly Meeting to have enabled the minority to ascertain the contents and see whether there was any real objection ?

A.—I wouldn't like to say that it would have been irrational or wrong to have done it, but prefer to say on the positive side, that I have not been able to see anything that was contrary to the proper usage of the church in what was done. 10530

Q.—You think they acted within the limits of their legal powers ? A.—Yes.

Q.—I want to ask you whether you think the clerk did the right thing, the proper thing, the reasonable thing upon that occasion in recording what he did, the meeting being nearly equally divided ?

A.—I certainly do as near as I know ; I should say he did just the right thing.

Q.—You say the proper thing in all cases where there is a majority, is for the clerk to declare a thing carried ?

A.—You widen it now ; I shouldn't say, in all cases I have forward with the report that they couldn't agree, this clerk made minute of his own appointment against the protest of a large minority, but whenever he made the minute of his appointment, the minority silenced their voices and went on with the business ; that thing occurred repeatedly for 10 years in succession ; every time when the discussion was over and the clerk had made his minute, every voice of protest was hushed, and the business went on, and that thing was repeated for 10 successive years. 10540

Q.—That was a case in which the business was carried by a majority ?

A.—This was a thing which I bring up to illustrate the point that I spoke of the submission of those that are opposed to the course when the Clerk comes to his conclusion and records his voice.

Q.—That is the instance that you give? A.—It is the end of it.

Q.—That was a matter which could not be laid over?

A.—No; got to have a Clerk of some kind.

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Q.—And unless there was acquiescence there could be no Clerk? A.—No.

Q.—No Clerk and no business?

A.—Yes; but the persistent objections may be continued after the Clerk made his minute just the same as ever.

Q.—But there could be no remedy?

A.—No remedy, except the confusion that has been produced by all such obstinacy; that is all, that is the remedy to stop the business.

Q.—Now, this Clerk that acted, was he the Clerk that as favored by the minority of the majority?

A.—By the majority so-called.

Q.—The Clerk in fact had his own Election in his own hand? A.—Yes.

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Q.—That is what it virtually came to.

A.—Yes; whenever protest was silenced he couldn't do anything in going forward with the business in objections.

Q.—What could the protestors do?

A.—They could have kept on at it the whole week through, and never allowed any business to be transacted. Yes; they could have blocked the wheels entirely.

Q.—These people had no alternative; but revolution you say?

A.—Either submission or revolution.

Q.—And that, in your opinion is the true Doctrine in all cases where there is any opposition to the meeting?

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A.—No; our constitution.

Q.—The minority have either got to submit or to revoltue?

A.—There is no other law when you come to necessity, if there is not dissension on the part of the minority, there must be dissension on the part of the majority.

Q.—Then you have been in all the Yearly Meetings you say throughout the Union?

A.—Yes; I believe I have.

Q.—Propagating these peculiar views that you have told us to-day?

A.—I have not told you much about views.

Q.—About holding Revival Meetings and preaching and singing and so on?

A.—Well, when I propagate the Gospel, I preach it; these practices are altogether the incident 10580 which come in.

Now, there are Doctrinal differences between the body which you belong to, and the others who have separated from you.

A.—So-called; Yes.

Q.—Now, you say this practise of Revival was not in use when you began? Have you preached any Doctrines also that were not in use at the time you began your labors?

A.—Yes, I suppose that in the mode of presentation the doctrine of justification, repentance and sanctification, the doctrines that have been referred to here—the second coming of the Lord, many of these Doctrines had been perverted and so obscured that when they were first proclaimed as they were by Joseph John Gurney, the cry of heresay was raised in his case, and he was called an Episcopalian and 10590 a Presbyterian and everything but a Quaker, until it culminated in a full examination of his Doctrines by the Society of Friends at large, started by the schism in the New York Yearly Meeting. The Church woke up to a new consideration these truths and the Church decided, with the exceptions of the schismatics in New England, and the schismatics in Ohio, with those exceptions the Church including the parted Yearly Meeting decided that Joseph John Gurney was sound, and Orthodox in the yearly faith of the Church; his books were passed upon and critically examined, by the London Yearly Meeting and by all the other Yearly Meetings, and these false heresies were rebuked; and those that adhered to them left the Church and were the schismatics, and so pronounced and had the New England dwindle away to nothing comparatively.

Q.—And what did you do when you began?

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A.—I was convinced of the clearness of the truth as presented by him and by others, and preachers who had reason.

Q.—You adopted the Gurney views of truth? A.—Yes; very much.

Q.—And you began at once to spread them as well as you could among Friends.

A.—The best I could.

Q.—And you have been doing so? A.—Yes.

Q.—And those that are acting with you are doing so? A.—I hope so.

Q.—And these views that are spoken of as being new views and new Doctrines were Gurney views and Gurney Doctrines which had lain dormant?

A.—Largely abused.

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Q.—For a century or more ?

A.—Yes, Yes ; for they had been found in all ages writers and ministers.

Q.—These views then you now speak of on these subjects, sanctification and repentance and so on, as you have named them, were new views in the Church at that time ?

A.—They were the old views brought freshly to view ; Yes.

Q.—New views in the Church at that time ? A.—Well, if you prefer that.

Q.—We understand each other in the same sense ? A.—Yes.

Q.—Hadh't been preached or taught for upwards of a century ?

A.—I have just said that I thought not, that I thought there had been ministers and writers all the way along that had seen the truth and held it, and yet so far as the prevalent idea of the Church was concerned, they were largely obscure. I would like to cite for example one instance that Gurney points out that will illustrate that just in a very few words. Witness here reads an extract from a tract published by Joseph John Gurney, called "Brief Remarks," and says it is in his library at home, and this is an extract from it : "We have been diverted from a firm belief and expectation of that momentous day when Christ shall come again in visible glory with all his holy angels to raise the dead, &c., by applying all such prophetic passages to the coming of Christ in the Spirit for the refreshment and edification of the Church," that is one of the errors he points out amongst a number of others, showing how the scriptures have been distorted by a traditional use.

Q.—Then at the time Gurney began to preach those doctrines and those views and doctrines of his, these were not the views and doctrines that were held and practised in the church ?

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A.—Friends generally had supposed that they had the true doctrine of justification.

Q.—But they hadn't these views which Gurney began to promulgate ?

A.—Not exactly, not clearly brought out, as he brought them out.

Q.—Which you, following in his footsteps, now promulgate ?

A.—Yes, they brought it out in brighter colors, they are brought out in brighter colors in the original form as promulgated by Friends as I supposed and as we believe.

Q.—I have heard a section of the body of the Society of Friends promoting "new lights," what are they ?

A.—I don't know.

Q.—Have you heard the phrase ?

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A.—I guess they are here in Canada, I have heard new lights, but I didn't know they were in your section of the Society of Friends.

Q.—To what section or branch of the Church did you hear them apply ?

A.—To the new light branch.

Q.—Which of these two is that that we have been speaking of ?

A.—I never heard it applied to either one.

Q.—You have not heard any section of the Society of Friends called new lights ?

A.—No, not that I know of ; I have heard the term, but I supposed it referred to a body of Professors entirely distinct from Friends.

Q.—Not Friends at all ? A.—And never had been so far as I know.

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Q.—Have you heard the phrase Progressists ? A.—Yes.

Q.—Applied to whom ? A.—Everybody that is not incrustated with the fossils of age.

Q.—You take it to yourselves ? A.—Yes ; I hope I am progressive.

Q.—Your section is called Progressists ?

A.—We are called so as an opprobrious epithet, but I rejoice in it.

Q.—What is the idea involved in that name as you understand it ?

A.—We think it means to go on and grow in grace and in knowledge, and you know that is a good term.

Q.—It simply means growing in grace and knowledge, and in that respect it correctly describes the section of the body to which you belong ?

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A.—I think it would not be inappropriate in that sense.

Q.—And is it inappropriate as to the others ? A.—I think ; very.

Q.—Who are the Binns Yearly Meeting ?

A.—Well, the Wilburites belong to " Binn's " Yearly Meeting amongst other variety of detectable names they have chosen for us.

Q.—Is it only known by that name ? A.—I suppose it is among us.

Q.—In Ohio ? A.—I suppose amongst the initiated.

Q.—In Ohio ? A.—Yes.

Q.—It is so commonly called ?

A.—Not by us, but we are not so sensitive about nicknames as some of our Friends are.

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Q.—You call yourselves “the” Yearly Meeting, Ohio?

A.—That is it; that is what we are; still the main thing is to be a Quaker, rather than call ourselves one, so that we are not so much concerned about names as about facts.

Q.—Now will you tell me whether this is a minute of your Yearly Meeting, '78, “this meeting feels the importance of purging itself from unsoundness in doctrine, and we hereby re-affirm the substantial minute of last year, and subordinate meetings are directed to carry out the instructions therein, in reference to such cases, we don't believe there is any principle or quality in the soul of man, which even if rightly used will ever save a single soul, the Holy Spirit is sent to convince man of sin—and we repudiate the so-called doctrine of inner light or the gift of a portion of the Holy Spirit in the soul of any man, as dangerous, unsound and unscriptural”; do you recognize that as a deliverance of 10680 your Yearly Meeting, '78?

A.—It is in a suspicious looking paper, but I think it is right, as near as I can tell; being from paper called “A Friend,” dated '79.

Q.—In what respect is the paper suspicious; because it is in my hand? A.—No.

Q.—Do you recognize it?

A.—I would not like to say it is verbatim, but substantially I think it is correct.

Q.—And you recognize it as the teaching of your body? A.—Yes, I think so.

Q.—Was it always the teaching of the Ohio Friends? A.—I think so.

Q.—Even before your time?

A.—I think so; we do .t believe in the portions of God; we repudiate the idea of a portion of 10690 the Holy Spirit.

Q.—I ask you whether the Ohio Society of Friends always did, even before your time repudiate the doctrine of the inner light or gift of a portion of the Holy Spirit in the soul of every man as dangerous and unsound and unscriptural?

A.—The Society of Friends in Ohio, as it was elsewhere, was overrun by heresy so-called Hixitism than swept away more than half of the church, and in the prevalence of the darkness of that day, there was every conceivable manner of heresy entertained by the Society of Friends, and then it was overrun by another heresy called Wilburism, which was first cousin or half brother, or whatever to the other.

Q.—Before your time the Ohio Society of Friends had been overrun by heresy?

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A.—Yes; so of course I couldn't say that they held the truth as there stated; I don't suppose they did; that document holds that there is no principle that can save man, but that God can save man; referring to the extract from “Friend,” '79.

Q.—Do you know the paper called “the Western Friends” ?

A.—Oh, Yes.

Q.—Under whose auspices is it published ?

A.—Published by Sowers Hardy, under his auspices I guess.

Q.—What body of Friends ?

A.—A body of Schismatics in Kansas ; I don't use these terms in an approbrious sense, but descriptive ; I say that, because this body of which he is a member have been established by no Yearly Meeting or co-operation of Yearly Meetings, and are recognized by none in the world.

Q.—These Schismatics were endeavoring to stand just where the body has stood for 100 years—weren't they ?

A.—Yes, I suppose they were endeavoring.

Q.—That was just their position ? A.—Yes they endeavored.

Q.—Just as we are here endeavoring to stand to-day, just where the body has stood for upwards of 100 years ?

A.—I have not impugned the sincerity of anybody.

Q.—And you recognize that as a correct description of—of the situation of those that you called Schismatics ?

A.—I can't say that I recognized it so very much.

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Q.—You can't gainsay it ?

A.—But I won't call it in question that they are endeavoring to stand.

Q.—Now do you recognize these other doctrines, “ the only manifestation of God in the world for the salvation of souls is through his church,” do you recognize that as a doctrine ?

A.—Yes.

Q.—“ The speechless service is a dead service,” do you recognize that as one of the new doctrines, which you have been endeavoring to propagate ?

A.—No, that is not a correct quotation, and it was never uttered by our Ohio Yearly Meeting as it is ; it is garbled.

Q.—“ Vocal daily prayer and praise are the inestimable duty and indispensable duty of every Christian parent ” ?

A.—Yes.

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Q.—“The written word and the living word are one”?

A.—Yes.

Q.—These are the doctrines of your section of the body—are they? A.—Yes.

Q.—But you dissent from the other; “the speechless service is a dead service”? A.—Yes.

Q.—What is your doctrine on that subject?

A.—Well, we don't say that there is not a living silence and a worship in silence, we claim quite the reverse in our Gospel Meetings, and so far as I know, we hold forth the idea all the time that there must be liberty of spirit in reference to silence as well as in reference to vocal service exercise, and we very frequently have times of silent devotion—silent worship; we claim that it is right. 10740

Q.—Has there been anything new taught lately about baptism? A.—Very likely.

Q.—By you? A.—In what respect?

Q.—In the same sense different from what has been in use in Friends for the last 100 years?

A.—Well, I suppose I might say yes, with reference to that, though I claim in reference to my teaching about that, that I have simply advocated the tolerance which was known in the early church.

Q.—You say there has been something different from what has been believed and taught for the last 100 years?

A.—Yes, I agree to that.

Q.—State what it is?

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A.—I have held and do hold to-day that there should be a liberty of conscience still used and tolerated with the church in reference to the rite of water baptism.

Q.—That is to say, that the subject should be altogether at large?

A.—Yes, that is to say, that it should be at large, that no conscience should be oppressed.

Q.—That every member—every Friend should be at liberty to think as he thought fit on the subject of baptism?

A.—Should be at liberty to be baptised if he felt it to be his duty.

Q.—Or not, if he didn't?

A.—Yes, I have heard the doctrine of toleration.

COURT.—That is, that it should be optional? A.—Yes.

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Q.—What was the Doctrine during the hundred years or more?

A.—I have endeavored to prove that there was that flexibility.

Q.—Tell me what the Doctrine was during the hundred years or so ?

A.—O, there was no Doctrine about it specially, it was considered to be out of use and not to be tolerated at all in the Society.

Q.—Baptism was not practised ? or used in the Society for upwards of 100 years ? A.—No.

Q.—But your teaching is that it is allowable ? A.—Yes.

Q.—And to be tolerated ? A.—Yes.!

Q.—And that Friends may be Baptised or not as they may see fit ? A.—Yes.

Q.—So that a Yearly Meeting might if they thought fit resolve that it should be universally practised ? 10780

A.—Well, that is beyond anything that I ever saw, or anything of the kind.

Q.—Your principle goes that far doesn't it ?

A.—Very well ; you asked me for my teaching of it, and I confessed the utmost of it.

Q.—Perfect liberty on the subject ?

A.—I would like to read one authority ; I read from John Cook ; 1698 Friends' Library Vol. 18, page 280 ; he was a Minister in the Society of Friends, after speaking of the fact of the disuse the general disguise of these things in the Church, "and yet wherever any believe they are commanded now by the same Spirit that commanded the believers to be Baptised in the days past, either for furtherance of the Gospel or control of their faith, we judge them not ;" this is only one ; I have 10790 written upon the subject, that early Friends were very tolerant in this matter, while they didn't practise it themselves. There was a flexibility about their system, and a Christian toleration manifested their lives, and in their teaching that did admit it, and though some did Baptise as recorded in one of the Quarterly Meetings, London, I forgot just which one ; some do Baptise.

BY MR. BETHUNE :—

Q.—My learned friend seemed to think that you had been doing something very extraordinary in reviving, or that John Joseph Gurney had been doing something very extraordinary in reviving ancient theology. Do you know whether the New York Conference to which Canada Yearly Meeting belonged until '67 ; were Gurneyites or Gilburites, of the New York Yearly Meeting ?

A.—They were so-called Gurneyites.

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Q.—Mr. Spencer himself told us yesterday he was a Gurneyite ? A.—Yes, he was one time.

Q.—So that the meeting from which the Canada Yearly Meeting was set apart, was the time, at all events, of its being set apart, belonging to the Gurneyite School ?

A.—Decidedly so.

Q.—Well, do you remember when Gurney was in this country yourself?

A.—Yes; I can remember his being at my father's house.

Q.—Do you know whether or not this Yearly Meeting-house College, the farm on which the Yearly Meeting house and College are here, were gifts from the Gurney to the Canadian Friends?

A.—I didn't happen to know anything about that.

Q.—Now, this declaration of belief which is in the discipline New York' 59; you are familiar with 10810 this New York discipline '59 are you?

A.—Not Critically.

Q.—You have read it, however, have you?

A.—I couldn't say that I have critically read it; I am familiar with the general provisions because our disciplines are homogeneous in their character, and if any Yearly Meeting should make a discipline that should be especially wrong, either in doctrine or practice, it would isolate itself from the influence of Yearly Meetings fellowship, it would be taken cognisance of, and disfellowshipped if not remedied.

Q.—Well, all except those Schismatics that you have described adopted the teachings of Joseph John Gurney as correct?

A.—That is the prevalent view of the church everywhere at the present day.

10820

Q.—You know, of course, the history of the suit of Earle vs. Wood, in Massachusetts?

A.—The general history; I am not critically posted.

Q.—There was a controversy between the Gurneyites and the Wilburites?

A.—Yes, it arose from the attack that was made by John Wilbur upon the doctrinal writings of Joseph John Gurney charging him with being heretical; he was expostulated with, and would not retract, and it eventuated in a separation in his own meeting and then at our meeting.

Q.—Do you know whether the published report of that trial is placed in Friends' libraries for their perusal and use?

A.—Yes, I think it is generally to be found for access to Friends.

Mr. MACLENNAN.—I object to the reception of this.

10830

Mr. BETHUNE—I put it in as proving what the usage of Friends was at that time, '43, a judgment arrived at in a court of justice, where the same issues as are raised here is good when 40 years old.

COURT.—I think it is not admissible for that purpose.

Mr. BETHUNE—Continues:—

Q.—I ask you to read from page 10 about baptism in discipline of '59, and say whether your teaching has been any wise different from that?

A.—First of all, in reference to the answers I have just made I answered Mr. Maclellan according to his question, a personal question, and I wish distinctly to disclaim any responsibility of the Society to which I belong for my personal views in this matter with regard to baptism, because it is but just to my own Yearly Meeting and to others to say, that I don't believe that they would accept or endorse my views upon this particular thought; so that I want to stand upon an individual basis and not in any way as a representative, because I don't preach the views which I have spoken—I don't preach them at all; it was only in a matter of personal converse. 10840

COURT.—I thought you said you taught the doctrines.

A.—Privately, and through the press, in the way of individual controversy, not by way of ministry at all.

Mr. MACLENNAN.—Are you not a minister in private as well as in public?

A.—Yes, but the Society always draws a distinction between an individual judgment, which is entertained in one sense privately, and that which is promulgated as a representative or a minister.

By Mr. BETHUNE:—

10850

Q.—If a brother desires it, you tolerate the administration of baptism?

A.—Altogether a personal matter.

Q.—Looking at the discipline of '59, do you think there is any conflict?

A.—This is the baptism that I delight to preach and have never preached a sermon on any other kind of baptism in the world.

Q.—Is that the same kind of Baptism preached by your Yearly Meeting? A.—Yes.

Q.—And by all the Yearly Meeting I suppose with which you are in fellowship? A.—Yes.

COURT.—But you advocate Baptism by water in addition to what is said here?

A.—Yes; individually and personally, I have that opinion, but disclaim any responsibility for my Church in the matter; I am supposed to be heretical with reference to my tolerant views. 10860

Q.—Now, this gentleman Sowers Harvey belongs to this Kansas Meeting does he? A.—Yes.

Q.—Looking at record of Meeting of '78, which Mr. Maclean read to you; this meeting renewedly feels the importance of purging itself from all unsoundness in Doctrine and we hereby reaffirm the substance of minute of last year, and Subordinate Meetings are directed, &c., the same as Mr. Maclellan read?

A.—I have claimed that God saves souls, not principles, not qualities, however, well; you may

use them ; as to the occasion of passing this, as to how the Ohio Meeting came to pass it, the true Doctrine of the light of Christ in the soul of the converted man or believer which is the true Doctrine as promulgated by Fox and the Yearly Friends, that every believer had light in his soul and the grace of God in his soul, that true Doctrine was perverted and made to apply to son and son alike, so that it came to be modified in this form that there was the gift of a portion of the Holy Spirit in the soul of every man - that is the Doctrine that we repudiated, the perverted Doctrine of the early Friends. 10810

COURT.—That was the Hixite heresy ?

A.—Developed into the Hixite heresy it had a basis as all have of these errors ; basis of truth and truth and error ingeniously blended, as found in every one of these endowments

Q.—My learned friend referred to the fact that you were annexed to those who were not in sympathy with you as being the Binns' Yearly Meeting ?

A.—How was Binns connected with your Yearly Meeting ?

Q.—Simply because Jonathan Binns was the Clerk and finally became the Clerk of our organization ; he superseded Hoyle who went with the Separatists ; in that struggle he was the Clerk. 10820

Q.—I understand you to say the London Yearly Meeting adopted Gurney's views ?

A.—Gurney travelled in this country with thorough accord and consent.

Q.—He was sent out to this country ? A.—Yes.

Q.—And had credentials from them ? A.—Yes, and they passed upon his writings

Q.—Now, is your teaching with reference to justification and sanctification, and the second coming of the Saviour anything different from that which is set out in the New York discipline of '59.

A.—I didn't suppose it was ; I am unable to state, however, from careful critical examination.

Q.—Pages 9 and 22 concerning the resurrection of the dead, "what the Holy Scriptures plainly declare in these matters we have always been ready to embrace, etc," and then concerning the resurrection you accept that ? 10830

A.—Yes.

Q.—And the orthodox bodies to which you refer ?

A.—Yes, common heresy is to deny the resurrection of the body, and ridicule the whole thing.

Q.—That also was one of the things that Gurney preached ? A.—Yes.

Q.—Did Barclay preach that also ?

A.—Yes, certainly ; that is the resurrection of the body ; of course all admit the resurrection, but give the interpretation to it that it is Spiritual.

Q.—Concerning the second coming of Christ do you remember whether there is anything about that or not?

A.—No ; I don't remember ; I would say that there is no thought of overlooking the Spiritual ; 10840 the importance of the Spiritual coming of Christ into the soul ; the person of the Holy Ghost taking possession of us and abiding with us, but we also try to keep the truth before the people ; that of His personal appearing at the last day when he shall come in the clouds of heaven with power and great glory.

COURT.—That is not the coming that is usually known as the second advent ; the coming at the last day ?

A.—Well, I think it is what we would speak of.

Q.—It is not the premillennial coming then that you advocate ?

A.—Well, critically speaking there is a distinction between Christ coming for his saints when they shall be caught up in the air to meet the Lord, and his coming with his Saints. 10850

Q.—To which do you refer when you speak of the second coming ?

A.—We refer to his personally appearing when every eye shall see him coming with his saints ; when he shall come with them coming to judgment ; I would not undertake to say there was any distinct formulated view about it, but it is a critical point upon which the most learned Exigetes differ.

Q.—However, the second advent you preach is the advent when Christ comes to the judgment ?

A.—Yes.

Q.—Look at discipline of '59 at the foot of page 7 as to justification and restoration ?

A.—Well, personally I should prefer to clothe what I suppose is the substantial thought contained in that, in different language.

Q.—You don't disagree with the substance of it ? 10860

A.—No ; I shouldn't disagree with what I believe to be the thought contained in that passage ; that the formality of the idea has been so abused and perverted that I should prefer the formality a little differently.

Q.—But as you interpret the language and you think you are quite in accord with it ?

A.—I think there is nothing wrong about the language originally used.

Q.—You told my learned friend that this Philadelphi Meeting had gone wrong in Doctrine and practice ? In what way as to Doctrine have they departed from the true faith ?

A.—I think they obscure the truth ; I think by their language in preaching they obscure the truth concerning repentance, regeneration, justification, sanctification, holiness, the witness of the Spirit, when to be saved. For example a short time ago I was in one of their meetings ; one of their Ministers arose 10870

with the language, "What shall we do to be saved? What shall I do to be saved?" language of the Phillipian Jailer, and he didn't give Paul's answer, "Believe in the Lord Jesus Christ, and thou shalt be saved." But he gave this, "fear God and keep his commandments for this is the whole duty of man;" that was the answer given to the language, "what shall I do to be saved?" and I instance that as an example of the obscurity which covers Doctrines as they are persistently set forth.

Q.—Well, they were out of sympathy with all the other Yearly Meetings of the world?

A.—Entirely so.

Q.—Because of a want of unity in doctrine?

A.—Yes, I think so—not all of their members, however.

Q.—But as a Yearly Meeting?

10880

A.—Dr. Evans confesses in his testimony before the court in Ohio that the reason that they withdrew their correspondence from the Wilburite Schismatics in Ohio was because there was so much dissension in their own body about the matter that they thought it was best to suspend, if I remember aright; that is his own testimony.

Q.—You told my learned friend that Gospel Meetings, such as you were holding had begun about the time the Society was first put into organization; that is, of course, from the writings of Fox and others?

A.—I think so; I think any one that reads Fox's journal will find it so; he went about with a Bible in his hand reading the Bible, explaining the Scriptures, preaching the Gospel from it continually and everywhere, and held what they called then Thrashing Meetings; that was the name; when multitudes of people sometimes fell upon the earth. 10890

Q.—I want you to describe to me what the usage is, I am not sure whether the other gentleman who preceded did that, as to establishing a Yearly Meeting; with what concurrence must it be done?

A.—The usage, I believe has been quite uniform of late years; those Quarterly Meetings that want the Yearly Meeting established, as for example here in Canada three Quarterly Meetings asked for a Yearly Meeting to be established, made the request to the Yearly Meeting, and took the matter into consideration, and agreed to it, provided the other co-ordinate Yearly Meetings, or the other corresponding Yearly Meetings, I had better say, were agreed; these propositions were then submitted to them all severally, and they passed upon it, the proposition being united with, and they severally appointed their representatives to meet here in Canada at the time proposed by the New York Yearly Meeting and establish the meeting, the record of which ought to be found in your minutes. 10900

Q.—The object of that, I suppose is to preserve the unity of the body?

A.—Yes, the Society of Friends is one, and these affiliated bodies maintain their relation by this as well as by other means.

Q.—Now, what is the teaching of the body as to the matter of conversion—instantaneous conversion?

A.—That conversion instantaneous, is held I think, to be true, probably by all orthodox members of our Society as well as others, that it is preceded, however, by a gradual process more or less, which may be denominated conviction and may be prolonged an indefinite length of time; the process by which persons approach the door, may be more or less slow, more or less gradual; it may take a few hours, as in the case of the Phillipian jailer a little time, or people may in rebellion against God prolong it into years, but we hold that the figure of Christ, the door he has set forth here in the language which I have read—quoted from Benjamin C. Bowen, that there is a moment when men cross the threshold, a moment when they are out of Christ, and a moment when they are in, and that regeneration or conversion, which includes regeneration justification and adoption, which things are not inseparable in point of time, although theologically speaking they may be, these may be gradual, this that or the other may be gradual, but that there is a moment, whether known or unknown, there is a moment when conversion or new birth is brought forth, and that is speaking in the ordinary language of men, instantaneous; you will find its analogy in the outward birth, not instantaneous critically exactly speaking, but a fact accomplished.

10920

By Mr. MACLENNAN :—

Q.—You said that the New York Yearly Meeting were Gurneyites; how do you know that?

A.—I know that by familiarity with their documents, with their ministry, from persons in their meetings.

Q.—Do you find it in this discipline of '59. A.—No.

Q.—Do you find it in the discipline '77?

A.—No, I don't find it in the discipline at all. It is a matter of actual knowledge that they are orthodox Friends; that is what I pronounce them.

Q.—And therefore Gurneyites; there was a time when they were not Gurneyites—was there.

A.—I think they are not Gurneyites yet.

10930

Q.—Was there a time when they were not Gurneyites?

A.—No, not that I know of.

Q.—The New York people were always sound then?

A.—I see, I think what you mean, probably in the same condition as the rest of the churches were before the revival,

Q.—Until when? A.—Until subsequent to the revival.

Q.—Until what year?

A.—Of the promulgation of truth by Joseph John Gurney, as near as I recollect the year '37 or 40, when he was in the country, and the subject was plainly brought to the notice of Friends.

Q.—Now, can you tell me where or how—what document or what experience enables you to say 10940 that the New York Yearly Meeting adopted the preaching of Gurney?

A.—Well, for instance, when the division took place, when the separation took place in Ohio, the Wilburite body; that was in '54; the Wilburite body sent an appeal to them, and a statement of the facts of the case, and so did our body, and I appealed to New York Yearly Meeting to decide.

Q.—In what form was this appeal sent?

A.—In the form of an appeal from a statement; I haven't got it, but I think there is a copy of it in the house; I think it is in the Supreme Court report; I have read it recently, and I think it was there that I read it—the statement of the Schism in Ohio; it is the official statement made by the Wilburites.

Q.—You made this statement about the New York Yearly Meeting—did you ever belong to it? 10950

A.—No.

Q.—Were you ever present at any Yearly Meeting there? A.—Several times.

Q.—When this particular doctrine was discussed—when the Gurneyite doctrines were under discussion?

A.—When the principles involved were discussed openly.

Q.—And were adopted when they made a change? A.—No.

Q.—You weren't there at any time when a change was made—were you?

A.—Change has not been made in any formal way.

Q.—You say there was a time when they were not Gurneyites; when they didn't preach or practice the Doctrines and practices which Gurney inculcated? 10960

A.—Very likely.

Q.—I want to know if you were ever there when you made any change? Were you ever present when they made any change in any of these matters?

A.—Not specifically, no organic change—I couldn't say that I was.

Q.—You are merely speaking from hearsay then?

A.—No; I am not; I am speaking from a sworn record.

Q.—Point out anything in any of their proceedings showing that they made a change in that respect?

A.—I can't point out their proceedings exactly here; this is the Supreme Court record that I have.

Q.—Have you anything but hearsay? A.—Yes. 10970

COURT.—It took place at a New York Yearly Meeting?

10980

A.—The New York Yearly Meeting pronounced upon the case and gave their judgment, and wrote an official endorsement of the Gurneyite party in Ohio, and that is to be found in the archives of Ohio Yearly Meeting.

Q.—Have you got the document?

A.—I have not got it; I was present and I heard it read.

CYRUS SING—Sworn for Plaintiffs, testified as follows:—

By Mr. CLUTE:—

Q.—Do you belong to the Society of Friends? A.—Yes.

Q.—How long have you belonged to that Society? A.—My whole life.

Q.—With what particular branch or Subordinate Meeting have you of late been connected? 10990

A.—I belong to the Yonge Str Quarterly and the Grey Monthly Meeting.

Q.—What office have you filled in the Monthly or Quarterly Meeting?

A.—I am Clerk of the Monthly Meeting and assistant Clerk of the Quarterly Meeting.

Q.—How long have you occupied that position?

A.—I have been Clerk of the Monthly Meeting for some 5 or 6 years; I can't tell exactly the date; I think this is the 6th year, either the 6th or the 7th.

Q.—So you were Clerk then at all events for some years before the separation took place? That is, before the new discipline was adopted?

A.—Yes; several years.

Q.—Now, were you present at the Yearly Meeting, '80, when the discipline was adopted? 11000

A.—Yes.

Q.—State shortly what took place at the time of its adoption?

A.—As near as I can remember the Representative Meeting, they made a report upon it, and recommended that this discipline be adopted as the discipline of the Canada Yearly Meeting instead of the old one, and it was discussed in the meeting then, and came up, and it was proposed to read it and it was read clause by clause all the way through, and I think it took, if my memory is right, nearly the whole day; it was quite late in the afternoon before it was finished; the people had spoken upon it all that wished to speak upon it, and the Clerk said that there was a majority, that it was the preponderance of the meeting; he said he thought it was the wish of the meeting that it

should be passed ; it was a preponderance—a large preponderance—and then there was some objections—and at last parties o'jections, asked that it should not be immediately adopted, that it should be postponed till a certain time, and it was finally agreed by all parties that it should be postponed till the beginning of the New Year, and that was agreed upon, and they all settled upon it, and it was passed in that way. 11010

Q.—That was the final action of the Meeting?

A.—That was the final action of the meeting as I understood it, that they had all agreed to that, and it was proposed by the parties who dissented from the discipline in the first place, to have it postponed for a certain time ; that it should not come in force for a certain time, and finally it was agreed to lay over, and I held no objection after that ; it didn't come in force until next year ; I understood it was unanimous ; I understood it that way, that they all agree to that. 11020

Q.—Now, what proportion in numbers would you say in the first instance were in favor of the adoption of the new discipline ?

A.—Well, I should think it is a matter that I was very much interested in myself, and I paid particular attention to it throughout, and I should think there was probably—there might not be 2-4ths—probably between 2-3rds and 3 4ths of the congregation, I should think, as near as I remember ; was my judgment at the time.

COURT.—Was the coming into operation of the new discipline only to be postponed till the new year, or was there to be another Yearly Meeting—another meeting called Yearly Meeting ?

A.—Oh no, it was to come in long before the meeting.

Q.—There might have been an adjournment at the Yearly Meeting ? 11030

A.—Yes, but the meeting didn't agree to that ; it was to come in immediately as I understood it, and as we all understood it, and we acted upon it immediately at the first meeting of the new year ; we did what the Monthly Meeting and what all the other bodies did.

Q.—Was it adopted in your Quarterly Meeting? A.—Yes.

Q.—And in your Monthly Meeting ?

A.—Yes, we were instructed by the Quarterly Meeting to carry out all the minutes of the Yearly Meeting, we had special minutes sent to us, instructing us, the Monthly Meeting, a unanimous minute to carry out the Yearly Meeting minutes, and in carrying out the Yearly Meeting minutes, there was one that we should adopt it.

Q.—Were you present at the Yearly Meeting, when that had been done ? A.—Yes. 11040

Q.—Was there any objection to that ? A.—Yes.

Q.—Yes that it should come in force next year.

Q.—How did it happen that it was to come in force at that time instead of immediately? Did anyone desire it to come into force then?

A.—In the first place, I think it was understood it should come in force immediately; that is the way I understood it, it would be by the adoption of the Yearly Meeting it would come in force, and it was suggested by opponents that it should come in force then, and that it should not come in force—they named some time; and finally it was agreed by all parties it should not come in force till the first meeting of the new year, I have never looked at the record since, but it is from memory I speak.

Q.—How many Yearly Meetings, or what proportion of Yearly Meetings—had you been in the 11050 habit of attending?

A.—I have attended the one in Ohio, Indiana, North Carolina, Baltimore and New York, and I think, all but one or two on this continent, and I didn't attend a Yearly Meeting in the old country, but I have attended a great many of the other meetings.

Q.—You have attended subordinate meetings in the old country?

A.—Yes, they asked for it to be postponed, for a certain time, for consideration, and finally it was agreed by all parties that that should be the postponement.

COURT.—Did the opponents abandon all opposition to the new discipline; you have told us their desire was to have a further consideration of it?

A.—They might have said that in that in the argument; I think very likely in the argument of 11060 it, it was said. but in the final conclusion there was different times, postponements mentioned; I couldn't say how long; it might have been a year, I wouldn't wonder, but what it was mentioned a year in the first place, but finally it was agreed upon it should come in force, by all parties, those that were anxious for it, and those that were not anxious for it—I understood it was agreed by all.

Q.—What was the object that it should not come in force until another year?

A.—I suppose it was so that they could get more familiar with it.

Q.—How many of the Yearly Meetings in Canada would you say you have attended since '67, when it was set up?

A.—I think all but two; I am not sure about that; I think about two. '78 I was away in the old country.

11070

Q.—Was this discipline adopted by the Yearly Meeting according to the usual practice of Friends?

Objected to by Mr. MACLELLAN.

COURT.—I don't think it is proper to ask the witness if it was adopted according to the practise without having him mention the practise.

Mr. CLUTE continues:—

Q.—Was there anything unusual or out of the ordinary mode in this adoption of the discipline—in the usual practise of the Friends ?

A.—It was adopted by the Yearly Meeting as other minutes are generally adopted. I never saw a discipline adopted by a Yearly Meeting before, only the first one. The first one that was adopted was adopted in the same way. They agreed to accept it. The one of '59 was adopted in the same way, and they agreed to receive it as the discipline for that meeting.

11080

COURT—No opposition ?

A.—No opposition ; none whatever that I remember of at all, and all agreed to it.

By Mr. MACLENNAN :—

Q.—Were you a member of the committee on this discipline ?

A.—No, I never heard of it till that day.

Q.—That was the first you ever heard of this new discipline ?

A.—The first I ever heard of it.

Q.—Had you seen the document itself before ?

A.—I don't recollect ever hearing it ; that particular discipline, till that day.

Q.—And had you ever heard before, that this new discipline was going to be proposed ?

11090

A.—I don't think I had ; I don't think so.

Q.—Do you know if others, or many others had ?

A.—I didn't know anything about what the others had ; I have no idea.

Q.—You hadn't heard it ?

A.—I hadn't heard it mentioned, I think I was aware that there was a committee appointed to revise the discipline ; the minutes, I think of the Yearly Meeting preceding told me that.

Q.—And you don't know that anybody proposed to introduce an entirely new one ?

A.—I don't know what impressions I had ; I had no opportunity of talking till the meeting met, at least, I never tried to ascertain.

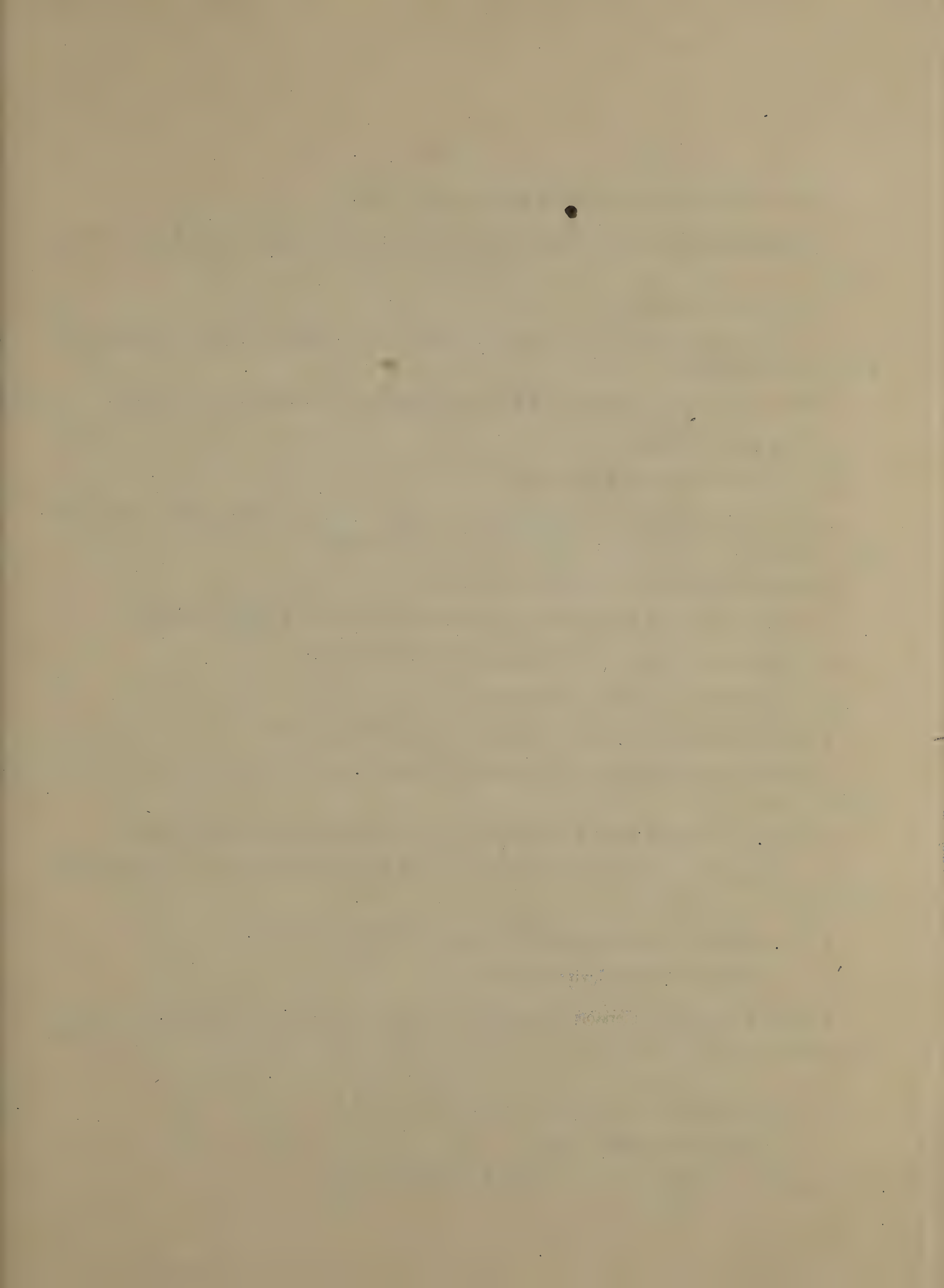
Q.—You say it was read through clause by clause ?

11100

A.—As near as I can remember, that was the way it was read.

Q.—But we are told that was done for some distance, but that after it was not then straight on ?

A.—I considered that clause by clause reading straight on, when they heard every clause read.



Q.—There was no voice of the meeting taken on each clause ?

A.—That was not all the way through clause by clause; what I mean is that it was read all through.

COURT.—Not debated upon ?

A.—No, I would not say that; there might have been, up to a certain part, but I wouldn't say it was all the way through.

Q.—Now, you say that from 3-4ths to 2-3rds of the meeting were in favor of the discipline ?

11110

A.—That was my opinion at the time.

Q.—And was there a show of hands taken ?

A.—No, I don't remember as there was; I don't recollect how it was done; there might have been; I wouldn't say there wasn't; I forget exactly how it was done.

Q.—But your impression was from 3-4ths to 2-3rds ?

A.—I think there was 3-4ths, probably over 2-3rds—not over 3-4ths I shouldn't think.

Q.—Did some of them speak strongly against it ? A.—They did.

Q.—A good many ? A.—Yes, a good many.

Q.—And did the Clerk say that nobody should speak more than once ?

A.—Well, I disremember after they had made their final argument; it is a rule in our Society not to allow them to speak but once.

Q.—That nobody should speak more than once ? A.—That is the general understanding.

Q.—Is there a rule of that kind now ? because we have been told here that it is the freest possible discussion ?

A.—It is free then, and in the final winding up it is generally understood.

Q.—You don't mean the final winding up ?

A.—That is the way I understood it and that is the way we do in our meetings; they call my attention to it, and ask me to do so, not to let them speak so many times; that one takes up all the time.

Q.—But the practice is to speak a good many times is'nt it ?

11130

A.—No, not to speak too many times.

Q.—Everybody speaks just as often as he has anything to say ?

A.—If I was Clerk, I wouldn't let anyone speak all the time, I don't think it would be a good way.

Q.—What right have you to stop a man that has anything to say?

A.—We always do it in any Legislative body.

Q.—You mean the presiding officer has a right?

A.—We have rules in all bodies or else we would not get on; I don't know if we have any written rules in regard to that.

Q.—You know that persons did speak more than once?

A.—I don't know of a man I have stopped from speaking, and I think there should be a rule and 11140 there is, in the meeting I belong to.

Q.—Is it the practice to speak more than once?

A.—They do speak—sometimes allowed to speak more than once—a few minutes, but stopped; I don't think they should speak too many times.

Q.—Did you observe the clerk putting persons down who were speaking against this?

A.—I don't recollect that he did; I have no recollection of his doing it.

Q.—But you say that they spoke strongly against it?

A.—They did, and I think they got liberty to say as far as I noticed, all they had to say.

Q.—Did any of them withdraw their opposition at all? Did any one of them get up and say that he withdrew his opposition? 11150

A.—I don't think he did; I have no recollection of any one doing it.

Q.—Not a single man or woman? A.—None whatever.

Q.—Some of them wanted that it should stand over for another year, for what purpose?

A.—To consider it better, to have it so that it would be more thoroughly understood.

Q.—Will you tell me you understood from hearing it read once over?

A.—I understood it so far that I didn't consider there was anything objectionable in it.

Q.—You didn't care much?

A.—I did care; I wouldn't live under a discipline that I thought was objectionable, that I didn't think was all right; if I had I would have voted against it myself.

Q.—Suppose you hadn't been there at the meeting at all, would not you have been surprised if the new discipline had been put on without your knowing anything about it? 1116

A.—I would not, for it is my business to be there.

Q.—How many people have you ?

A.—Probably 1,500, I would not say exactly.

Q.—Did you expect all the 1,500 to be there ?

A.—No, but expect the others to be governed by those that were there.

Q.—Whether they knew anything about it beforehand or not ?

A.—Certainly they send their own representatives there ; they were sent there to see to everything, to act on behalf of the church.

Q.—The Yearly Meeting in your opinion could abolish the discipline altogether ?

A.—So they did.

11170

Q.—Without anything new ? A.—And appointed a new one.

Q.—Could they abolish the new discipline—the discipline altogether, without making a new one ?

A.—I would not expect them to do that.

Q.—Well then you say it was sent up to your Quarterly Meeting ? A.—Yes.

Q.—What did your Quarterly Meeting do ?

A.—I wasn't at the Quarterly when it was adopted ; I couldn't say.

Q.—And why did they adopt it ? A.—Because they did so, and they sent the minute to me.

Q.—And why did they adopt it, if they were bound by it already ?

A.—The way they do, the Quarterly sends up a minute to the Monthly Meetings, instructing them what they were to do, and among the instructions that came, we were to observe the Yearly Meeting minutes and carry them out ; that was among them sent to me as clerk.

11180

Q.—Why did it come before the Quarterly Meeting ?

A.—Because there is various clauses in it ; there is a clause to raise the money required for the meeting and statistics.

Q.—And they adopted the new discipline ?

A.—They adopted it—adopted it in that way.

Q.—And why did they think it necessary to adopt it ?

A.—The minute comes up with various clauses in it.



A.—It is the church organization to do so, that is our organization.

Q.—It is part of the organization that the Quarterly Meeting have to adopt; has it to pass the 11190
Quarterly Meeting too?

A.—No; the Yearly minutes come up to the Quarterly Meeting, and [they examine them and see
what is in them; and one clause is that they are to raise money.

Q.—And there is a minute I believe, that the new discipline was taken up and adopted?

A.—No, I don't think so, that is in the Quarterly Meeting.

Q.—Have you got it there?

A.—No, it says that the Monthly Meeting carried out the minutes of the Quarterly Meeting.

Q.—Have you got it there?

A.—No, it says that the Monthly Meeting carried out the minutes of the Quarterly Meeting.

Q.—You said before, two or three times adopted?

11200

A.—Well, I call it adopted, although we don't put it in those words on the book; the minutes
are sent up to us; and we direct our subordinate meetings to carry them out.

Q.—For execution? A.—Yes, that is the way it is done.

Q.—And in your opinion you had no further voice in the matter after it passed the Yearly Meet-
ing?

A.—No, I don't think we had; I think we had a right to accept it; it is called observance; that
is the word that is used in our minutes; they direct them to the "observances" of the meetings; and
we did so and we directed our Preparative Meetings—

Q.—To go back to the Yearly Meeting, you say the Clerk thought there was a majority in favor of
it?

11200

A.—I think he thought so; I understood so; I had no talk with the Clerk about it; I don't know
what he thought.

Q.—And you think he had authority if he found there was a majority to declare it carried?

A.—He doesn't do it in them words; he doesn't put it in them words.

Q.—Do you think it was the Clerk's duty if he thought there was a majority in favor of the
motion to declare it carried?

A.—He was to do it in this way, that it was the prevailing opinion of the meeting that it should
be adopted, or it should be observed; I don't know what his words were.

Q.—I want to know what you think the authority of the Clerk was? Is it sufficient in your
opinion that there is a majority of the persons present in favor of a motion to carry it?

11210

Q—And why didn't you think it necessary to report it?

A—I think so. I think when there is a large meeting.

Q—How large a meeting is sufficient? A—In any ordinary meeting any meeting is sufficient.

Q—A majority of one is sufficient? A—Yes.

Q—That is your belief?

A—I know it is in any business way, as chairman of any meeting I would do so.

Q—Of friends' meetings? A—I wouldn't say that I would just for one.

Q—I ask you what the law is in friends' meetings?

A—When there is a large preponderance or a large preponderance I would use it for

just one I don't think; unless it came in the ordinary way.

Q—And why not?

A—I would want to be sure; I would rather see more than one, I wouldn't like to do it. Don't know but it would be all right to do it if one, I don't see how you could get on without doing it that way?

Q—Did you ever know anything laid over to another session because there was opposition?

A—Frequently.

Q—Is not that the common practice?

A—It is in some things and in some things it isn't.

Q—in what kind of things is that the rule, and in what kind of things is that not the rule?

A—It is not always done; I wouldn't say, I couldn't define it exactly.

Q—Isn't that the way that things have more than frequently been done, that when there has been considerable opposition it has been laid over to another time?

A—Not always.

Q—Isn't that the most frequent practice?

A—It has been done; I have not seen it done, when two against it.

Q—Isn't it a most frequent practice? A—Not lately.

Q—You have seen it laid over when there was only two against it? A—Yes.

Q—in Yearly Meeting? A—No, but in smaller meetings.

Q.—And why didn't you think it necessary to adopt it?

A.—I think so ; I think when there is a large majority.

Q.—How large a majority is sufficient ? A.—In any ordinary matter any majority is sufficient.

Q.—A majority of one is sufficient ? A.—Yes.

Q.—That is your belief ?

A.—I know it is in any business way, as chairman of any meeting I would do so.

Q.—Of Friends' meeting ? A.—I wouldn't say that I would just for one.

Q.—I ask ask you what the law is in Friends' meeting ?

A.—When there is a large preponderance or a reasonable preponderance. I would not do it for just one I don't think ; unless it came in the ordinary way.

11220

Q.—And why not ?

A.—I would want to be sure ; I would rather see more than one , I wouldn't like to do it. Don't know but it would be all right to do it if one , I don't see how you could get on without doing it that way ?

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11230

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Q.—Isn't it a most frequent practice ? A.—Not lately.

Q.—You have seen it laid over when there was only two against it ? A.—Yes.

Q.—In Yearly Meeting ? A.—No, but in smaller meetings.

Q.—I suppose you could hardly have a more important subject to introduce than this discipline under consideration?

11240

A.—It is very important.

Q.—You could hardly have anything more important, I suppose?

A.—Well, it is an important matter—yes.

Q.—You could hardly have anything more important—could you?

A.—I don't know; I wouldn't like to say that; it is an important matter, a very important matter.

Q.—Friends did ask in this case to have it laid over for another year, for further consideration?

A.—I think some did.

Q.—But you were against that?

A.—I don't know that I spoke on it at all, there was so much speaking one way and the other. 11250

Q.—So you didn't make known your judgment upon the matter?

A.—I don't recollect whether I did or not; I don't remember speaking upon it at the time.

Q.—Have you studied this new discipline? A.—I have.

Q.—What is the rule now about the mode of carrying proposals in a meeting?

A.—I think it is very little different from the other; it is when it is the prevailing opinion of the meeting.

Q.—Do you think if there is even one of a majority, it is sufficient?

A.—Well, that is the way; I know it is the way the others have construed it—every one who was opposed to the discipline; I know it is the very way that those who were opposed to the discipline have construed it and voted on it. 11260

Q.—You don't associate with those who are opposed to the discipline, I believe—do you?

A.—I don't meet with them now; I think it is best to stay with the discipline that the meeting adopted.

By Mr. CLUTE:—

Q.—Then there might be discussion and all that sort of thing, but when the clerk has made his minute, what is the effect of that?

A.—It is binding; we always consider it binding, and it is binding always; the clerk is supposed to amend it or fix it till he considers it the voice of the meeting, and then he makes it final—that is, the prevailing voice of the meeting.

11270

Q.—Do you know whether or not, long before the separation, whether this manner of voting by a prevailing judgment?

A.—I always understood it that way.

Q.—Can you turn us to the minutes and get an instance of that?

A.—I couldn't, but I know it is a rule that we always done; it was always done.

Q.—You mentioned incidentally that you didn't speak because there was so much speaking, then was there a full discussion upon this discipline?

A.—A very long discussion—a great deal.

Q.—And was every opportunity given for discussion? A.—Every opportunity.

Q.—Then when you came to a certain stage in the discussion they were only permitted to speak 11280 once, that is as I understand you after general discussion had been concluded?

A.—Yes, after the thing is finally read over and all understood that they are not allowed—every one to get up and speak four or five times.

Q.—Then speaking once after that is just the same as in an ordinary meeting, voting once; we would say?

A.—Yes.

Q.—After they had spoken once?

A.—And given their ideas, where 200 or 300 people, it would not be fair for one to take up all the time.

SAMUEL ROGERS—Sworn for Plaintiffs, testified as follows:—

11290

By Mr. CLUTE—

Q.—Where did you reside? A.—In Toronto.

Q.—And belong to the Society of Friends? A.—Yes.

Q.—How long have you been connected with that body? A.—All my life.

Q.—What position have you held in the Society at any time?

A.—I have been, most of the time a lay member, a common member.

Q.—Haven't you had any other position?

A.—Yes, at the present time I am an elder.

Q.—Have you been in the habit of attending Yearly Meetings in Canada?

A.—Yes, I attended a number of the Yearly Meetings; I was at the first Yearly Meeting that was 11300 set up here; I was also at the New York Yearly Meeting when Canada was set up, or set off as a Yearly Meeting.

Q.—When the permission given?

A.—Yes, and I attended several Yearly Meetings in the meantime, but not all of them; some of the time I was not living in Canada.

COURT.—You mean before Canada was set off?

A.—I attended New York Yearly Meeting when Canada belonged to New York Yearly Meeting; I think if my memory serves me right, perhaps twice; I think I attended it twice before, but I am not right positive on that point.

Q.—Were you present at the Canada Yearly Meeting, '80? A.—Yes.

11310

Q.—Will you tell us what you know in regard to the adoption of what is called the new discipline?

A.—I knew that previous to the meeting in '80, that is between '79 and '80, I knew a committee had been appointed by the representative meeting for to revise the discipline; I think that one of the members of that committee, there was an appointment made for them to meet in Pickering to revise the discipline; one of the members of the committee, William Wetherall, did go there to meet the others, but through sickness, the others weren't there, and on his return from this meeting, that was to be; I met him on the street in the city, and invited him home, and he took dinner with me, and I had some conversation with him at the time about the discipline; about such matters; I think I had seen also before the Yearly Meeting, '80, I think that I had seen the New York discipline as it was 11320 adopted there and looked over it—not very critically, for I don't profess to be a very critical observer of theological doctrine, but I had looked over it in a general way; at the time it came up in the Yearly Meeting, my recollection is that it came up from the representative meeting—that is a recommendation—a recommendation for to adopt it came from the representative meeting; there was a very full discussion as near as I can remember on it; I think there was considerable discussion before it was decided to read it clause by clause, and after a considerable discussion it finally was decided to read it—the discipline clause by clause, my own recollection of the reading of it clause by clause is a little different from some others that have testified here; I kind of had it fixed in my mind that there was quite a time between the reading of the clauses, and also I think in the several instance there was something said about it; I think that some 11330 person during the reading objected that the Clerk was not waiting long enough between the clauses, and to the best of my memory he at the time apologized, and said that he would be very glad to wait until the Friends were entirely satisfied, and I think that a longer time was given between the clauses after that. It was. I can't say exactly how many sessions—not to be positive—was taken up in the reading and discussion, but I should think there was as much as two, and I think three; my recollection is that it was not finished in one day; after the reading was finished, then I think there was full discussion; I think there were a number that spoke a great many times; I think I remember three ladies from Westlake that spoke quite a number of times during the general discussion.

Q.—Do you remember who they were?

A.—Eliza Varney was one, and Matilda B. Auscombe, and Mary Anne Varney; I think those three; 11340 they spoke quite frequently just during the general discussion; other people had privilege, and a great many did speak two or three times; I can't remember that there was any opposition to any point of the discipline; the opposition was for it to be laid over, that is, they wanted it laid over for another year; I don't remember as there was any direct opposition to any single clause in the discipline after this discussion had went on for some time, I can't tell to be positive how long because my memory is not right down to definite points; it is not so good perhaps as some others, but my recollection is that it went on for some time quite lengthy, and then I think the Clerk said that it would be difficult to get at the real judgment of the meeting while so many people were speaking, and that it would be necessary to come down to some order, and only allow each person from that time forward to speak once; they were allowed to speak once, and I think that that was the plan that was adopted; I think after this 11350 time came, then that no persons was allowed to speak more than once.

Q.—Do you remember how long the discussion had continued, when that point was reached?

A.—Well, I can't say positively; my remembrance is that there was very full discussion, that everybody had the privilege of speaking one, twice, or three-times, and some of them more; I think there was a full discussion, but I can't say positively now as to the length of time; it is sometime past and I have that impression, there distinct in my mind, and it run for some time, and they were taking a final summing up.

Q.—Whom do you mean by, they?

A.—I think at this time that the two Clerks were sitting at the one table—the Clerk of the women's meeting and the other; I would not be positive, but I think so; I think that is really 11360 the way it was; that is the reason I used the word "they"; this was kept open as long as there was anybody to speak—as long as anybody wished to; I don't know whether all spoke; I don't think perhaps that all that were there did speak, but it was kept open as long as there was anybody wishing to speak, and the Clerk then made a minute; I can't tell what the wording of that minute was from memory, I think that in giving the decision he stated that it was evidently the prevailing judgment of the meeting that the discipline be adopted. I don't remember that there was any objection to the form of the minute. I don't think there was anybody at the time intimated that it was not the prevailing judgment. It seemed to settle; after the decision was given, it seemed to settle, and in my own mind at the time it seemed to me that it was all going to pass off right, perhaps better than what I had 11370 thought—my own judgment at the time, and I think I had been talking in the interim of the session with some of the Friends, that I rather urged that it be laid over another year, my own views, although I went with the party that adopted the discipline at the time and so expressed myself, I would have been willing that the discipline—the adoption of it be laid over for another year, but it was argued very strongly in general discussion that came up, that a great deal of time had been spent in New York on the revision of this discipline, and that it had been thoroughly gone into by those in the Society who were better posted than what we were. It was also used as an argument that when the Canada

Yearly Meeting was set off that we adopted their discipline, that we took the New York discipline that was in force then, and that we adopted that, and that we would gain nothing but delay by delay, and there were some who would not be willing to adopt it on any terms, and that the object of by adopting the discipline at this time, the matter would be all over, and people generally would be better satisfied with it than to keep it open as matter of contention. That was one great reason that made me personally willing to adopt the discipline at that time. 11380

Q.—Then it was adopted in the manner in which you have mentioned? A.—Yes.

Q.—What next took place after the minute was read?

A.—Well then, at the time the minute was adopted, as I remember it, it was supposed to go into operation at once; there was nothing said about when it should really be put in practice and in use, and after that came up, the discussion as to when the discipline should be in force, then I think it was that the understanding was come to, that it should come into force, the first of the next year, and there was a committee appointed for it; in fact, I was, I think chairman of the committee appointed to send to New York and obtain—I forget the exact number; my memory doesn't tell me how many, but I think 500; I ain't sure about that—500 copies of the discipline. 11390

Mr. BETHUNE—Here reads minute No. 35.

Q.—From whom did the request come that it should be laid over until the beginning of next year, that it should not come into operation until then?

A.—I couldn't particularise on that; my present recollection is that it was a pretty large—a pretty general thing throughout the meeting.

Q.—Was there any opposition to that at all?

A.—I don't think there was; I don't remember as there was any opposition; to that part of it—I mean, to have it come into force on the first of the year. 11400

Q.—So that was actually unanimous then?

A.—Well, I thought so at the time; I thought that there was a much better feeling in the meeting than what there was before the adoption of the discipline; that was my impression about it.

Q.—Now, as a Friend belonging to the Society of Friends, what do you understand about the effect of the minute that the clerk made?

A.—I would consider that after the Clerk formed the minutes, and the minute was satisfactory to the meeting then, that there would be no further going behind that that it would become law; it has always been the custom ever since I can remember, after the judgment of the meeting has been taken and the Clerk has arrived at what he thinks is the judgment, that he forms his minute; sometimes I believe the Clerks have formed their minutes in anticipation of what they believe to be the judgment of the meeting; what they believe it would be; it is customary for them to so form a minute, and friends can see whether they are satisfied if it ain't made right, I am willing to change it or 11410

something of that kind; it is frequently the case that the minute after being formed by the Clerk, is changed and it is made to suit the views.

Q.—When is that done?

A.—After the Clerk has arrived at what he considers the judgment of the meeting.

Q.—Then immediate modification is made there and then?

A.—Yes, there at the time.

Q.—Then some modification could be made? A.—Yes, it is frequently made.

Q.—Was there any request that night for modification after the minute was read in this case? 11420

A.—I don't think there was; I don't remember it.

Q.—And if no request of that kind comes, then you say you consider it becomes then law?

A.—Yes.

By MR. MACLENNAN :—

Q.—Were you at the Yearly Meeting, '79? A.—Yes, I think I was.

Q.—And you say you had some conversation with a member of the Committee?

A.—Between the meeting of '79 and '80.

Q.—Mr. Wetherall? A.—Yes.

Q.—And he talked to you about this new discipline did he?

A.—He was appointed by the Representative Meeting as one of the committee for revision. 11430

Q.—What did he tell you? A.—He told me that they hadn't been able to meet.

Q.—Did he show you this new discipline? A.—No, I don't think that he did.

Q.—And you understand the committee didn't meet then?

A.—That is what I stated in my examination.

Q.—That the committee to whom the matter was referred never did meet? A.—Not all of them.

Q.—One of them would not be a meeting? A.—No, he went to the place of meeting.

Q.—Then your understanding was that the committee hadn't met at all?

A.—No, they didn't meet as a committee.

Q.—Then who talked to you about the new discipline?

A.—I talked with different members in my intercourse with some of the Friends.

11440

Q.—Before the Yearly Meeting? A.—Yes, before '80.

Q.—About this new New York discipline? A.—Yes, before '80.

Q.—Had you a copy of it? A.—I didn't have a copy of my own; I think that I saw a copy.

Q.—Before the Yearly Meeting, '80? A.—I think I did.

Q.—You are not sure?

A.—Well, I am almost sure that I did; I am not positive; that is my recollection, that I did.

Q.—What makes you think you saw it?

A.—Well, for the reason that I frequently met James Barker, and he had a copy of the discipline; he at present is the Superintendent of the College.

Q.—What was he then? A.—He was living then at Norwich.

11450

Q.—Was he a resident of Norwich? A.—Yes, he was a resident there; he was a Minister there.

Q.—Having come from abroad?

A.—No, that was his place of residence.

Q.—Had he come from abroad, or was that the place where he was brought up?

A.—No, I think that is his place of residence where he was brought up.

Q.—He had a copy of this you say? A.—I think so.

Q.—'You are not sure'? A.—Well, I am almost positive.

Q.—You are only "almost" positive, but not quite?

A.—Well I would not affirm positively that it was from him that I saw it.

Q.—You are not sure that you did see it in the first place?

11460

A.—Well, I am as reasonably sure as I can be.

Q.—What makes your memory so uncertain about whether you had seen this book or not?

A.—It is sometime past, and you may be liable to confound seeing it before with seeing it after.

Q.—You are not sure therefore, whether you saw this book before or after the meeting for the first time?

A.—To the best of my recollection, I saw it before, but I would not say positively.

Q.—And you think if you saw it before you saw it at Norwich ?

A.—No, I don't say that I saw it at Norwich.

Q.—Where then ? A.—I think James Barker had one.

Q.—Where would you have seen it with him ?

11470

A.—Well I saw him frequently ; he was a Friend of ours.

Q.—Where ?

A.—At the time of my mother's death, he was up there at Yonge street.

Q.—You think you may have seen it with James Barker at Yonge street ?

A.—He was there, and I saw him frequently ; I couldn't tell you positively where I saw it ; I couldn't bring it down.

Q.—In the first place you are not sure you did see it, and you can't tell me where you saw it, nor whether you saw it before or after the meeting ?

A.—I couldn't tell you positively.

Q.—Then you can't say that you had any knowledge of it before you went to the meeting ?

11480

A.—I would not affirm positively I had ; I think I did, but I would not affirm positively ; I think I did.

Q.—Are you positive that you had heard that there was a new discipline in New York before that Yearly Meeting ?

A.—Yes.

Q.—You are sure of that ? A.—Yes.

Q.—Then this committee if it didn't meet, of course it didn't report ?

A.—No, well the committee could report without meeting—without the meeting ; the committee would report when called upon, even if they didn't have a meeting ; they were a committee all the same, whether they met or not.

11490

Q.—I suppose all they could do was simply to say there was no meeting ?

A.—They would report that they hadn't been able to meet together ; they would report to the body that had appointed them, that they had been unable to meet.

Q.—Then there was no report of the committee ? A.—No.

Q.—And so this new discipline was taken up by the Yearly Meeting of their own motion ?

A.—No, it was taken up by the recommendation of the representative meeting; the representative meeting is supposed to be composed of a number of weighty members.

Q.—The Representative Meeting then met at the same time as Yearly Meeting?

A.—Yes, they always do.

Q.—And you think they were the movers in bringing forward the discipline?

11500

A.—Well, my recollection is that this came in from the Representative Meeting to the Yearly Meeting.

COURT.—Who composed the Yearly Meeting—or the Representative Meeting rather. It is a committee appointed by the Yearly Meeting itself isn't it?

A.—Yes; it is a standing committee supposed to have the oversight of the Yearly Meeting between the sessions; it is supposed to act in cases of emergency, or anything of that kind, for the Yearly Meeting.

Q.—During the year? A.—Yes; if the Yearly Meeting is not in session,

Q.—The Representatives appear to have been appointed by the Preparative Meeting?

A.—The Representatives that are sent up from the different meetings, are different from the Representative Meeting; it is called a meeting for sufferance under the old rule.

Q.—Is this the kind of business that the Representative Meeting is supposed to attend to?

A.—Well, Yes, from the fact of the Yearly Meeting referring it to the Representative Meeting

Q.—You told me they had appointed a committee?

A.—The Representative Meeting appointed the committee—as I understood it, the Representative meeting of the previous year appointed this committee.

Q.—Then it was not the Yearly Meeting that did it at all?

A.—In the first place the request I think came from Norwich for to have the revision of the discipline; it came to the open Yearly Meeting, and the Yearly Meeting referred it to the Representative Meeting; that was in '79, and the Representative Meeting in '79 appointed a committee for to revise it, and this committee didn't meet, and reported to the Representative Meeting, '80.

Q.—The representative committee then took it up for the first time at the Yearly Meeting. I mean, took up the discipline?

A.—The representative committee reported to the Representative Meeting that they hadn't met, and then the Representative Meeting took up the question in the Representative Meeting.

Q.—Held the same time as the Yearly Meeting?

A.—Yes, at the same time, generally a little before the session of the Yearly Meeting. Then they took it up in their session, and laid it over to a future session of the same meeting, and then finally decided to recommend the Yearly Meeting to adopt.

Q.—You think that so they recommended ?

11530

A.—Yes, that the Representative Meeting recommended the Yearly Meeting to adopt the New York discipline.

Q.—Then you heard for the first time at the Yearly Meeting that it was intended to propose this new discipline ?

A.—No, I think Mr. Barker told me that the best thing we could do was to adopt the New York discipline. I think it came from Mr. Barker that the best thing we could do was to adopt the New York discipline.

Q.—Well, then you think when it was taken up it was read clause by clause at intervals ?

A.—I am quite positive.

Q.—Was that done right through to the end ?

11540

A.—To the best of my recollection it was.

Q.—Others have said not ? A.—I know they have.

Q.—Do you remember that better than the fact whether you had seen it before or not ?

A.—My recollection is very distinct.

Q.—You seem to remember very distinctly all that took place at that meeting, although you cannot tell me whether you had seen the discipline before or not ?

A.—Well, this is a matter that fixed itself on my mind very forcibly, while the other would come up in the way of natural conversation, and I would not remember it nearly as well as I would if it was an important matter.

Q.—Now what proportions of the persons present were opposed to the new discipline in your judgment ?

A.—I should think that there was very nearly—it would come very close to being two-thirds in favor of it ; in sitting and listening I wouldn't give it accurately, or give it as my own judgment.

Q.—The judgment you form is from those you heard speak ?

A.—Kind of fixing in my mind at the time ; I was quite satisfied there was quite a majority, I should think very near two-thirds.

Q.—Those that were against it spoke strongly against it ?

A.—Well, they spoke strongly against having it adopted then.

Q.—They struggled to get more time—did they?

A.—Yes, they asked for a year's time.

Q.—They asked for a year's time for further consideration? A.—Yes, they did.

Q.—Were some opposed to its passage altogether, and did they express themselves so?

A.—Oh yes. They didn't say they were opposed to it.

Q.—Did any single person there openly withdraw his opposition?

A.—They didn't openly.

Q.—Not a single one openly withdraw their opposition? A.—No.

Q.—Not one?

A.—Not one as far as I know; I don't remember. There was nothing said after.

Q.—And you have no reason to think that any of them ever did?

A.—There was nothing said as near as I can remember after the Clerk had read the minutes. It seemed to settle down and be perfectly quiet. 11570

Q.—After he got through the reading was that the time the discussion began?

A.—After he had settled the minutes.

Q.—After he had got through reading was that the time the discussion began mostly; reading it through, and after it was got through with?

A.—I think that it was.

Q.—It was then that opposition was manifested?

A.—Yes, although in my own recollection I would have thought there was some little discussion during the reading, but of that I am not positive.

Q.—You are not positive whether there was any discussion when it went on? 11580

A.—No, I would not be positive.

Q.—Were you able to take in this long document as it went along and understand it?

A.—Well during the reading, it was apparently to me in most parts very similar to the old.

Q.—Had you a copy of the old in your hand, and a copy of the new?

A.—No, I had not?

Q.—Had you a copy of the new in your hand as it was being read, to examine?

A.—No, I hadn't.

Q.—Had anybody?

A.—I think there was some in the meeting; I can't say how many.

Q.—How many? A.—I can't say how many.

11590

Q.—Were there 3 or 4 as you believe, besides the one the Clerk had?

A.—Well, I would not say positively, because I have no means of knowing.

Q.—You didn't see any besides the one the Clerk had? A.—I wouldn't say positively.

Q.—You wouldn't say positively you did?

A.—No, I would not; my impression was there were several there, but I would not say positively.

Q.—There were no means at the meeting there, by which the members could compare the old and the new together quietly?

A.—No, there was not, unless they had one of their own private disciplines; there wasn't any there that was public.

Q.—And there was never any distribution of this new discipline made before that time at all, before 11600 it was read there?

A.—Not unless they sent and got them for themselves.

Q.—And you think it was a reasonable thing to pass that discipline there under those circumstances?

A.—I think it was.

Q.—Remembering the opposition, it was?

A.—I think it was under the circumstances; all things considered I think it was.

Q.—Because you think if it stood over to another year, it would only make more discussion?

A.—My impression was that we wouldn't get any nearer unity on it.

Q.—What made you think that?

11610

A.—The principal point that I supposed there would be objections on, was the appointment of Elders.

Q.—You thought there was great opposition to that? A.—Yes.

Q.—And you thought there were brethren that would not yield on that point A.—Yes, I did.

Q.—You thought so? A.—I thought so.

Q.—What made you think so?

A.—Well, I thought so, because myself with some others thought the Elders had got to be that they were not really what was contemplated in the start.

Q.—You wanted to change then? A.—I did.

Q.—You and Mr. Barker had come to the conclusion that a change in that respect would be 11620 desirable?

A.—Yes, I thought—

Q.—What the older elders should be put out?

A.—No, not necessarily that the older elders should be out, to make a change in the manner of appointing them; I thought so.

Q.—That was because the existing elders required to be changed?

A.—Yes, we thought that sometimes elders were appointed on account of plainness of address, or something of that kind, when the heart was not in a proper state to be an elder.

Q.—You and Mr. Barker thought that?

A.—I am only giving my own personal views about that.

11630

Q.—But you had talked the matter over with Mr. Barker, about the eldership, hadn't you?

A.—It would be quite natural, meeting Friends, to have quite a talk.

Q.—And you thought that if it was laid over till another year there would be no chance of agreement on that point?

A.—I didn't think on that point, perhaps we would get any nearer than what we were then.

Q.—And you thought it reasonable to pass this new discipline different as it is in language almost from beginning to end from the old, without members having an opportunity of comparing them and considering them?

A.—I didn't think there was any great difference in the principle of the two disciplines.

Q.—Others might be appointed?

11640

A.—Yes, but there is no limit to the number that might be appointed. There is no stated number in a meeting of the Society of Friends; if there is half a dozen or if there is two dozen that really should be appointed to elders—the number doesn't matter; some meetings have a dozen or more.

Q.—It is your opinion that, because there was a majority it was properly carried by the clerk?

A.—Well, I think it was properly carried, I think it was the prevailing judgment of the meeting.

Q.—You mean there was a majority ?

A.—Yes, I mean there was quite a large majority.

Q.—Is that what you mean by saying the prevailing opinion ?

A.—I would not in all cases ; I wouldn't like to say in all cases the majority should rule.

Q.—You thought there were more for it than against it ?

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A.—Yes, quite a number more.

A.—And those that were against it being in the minority—must submit ; that is what you say ?

A.—I would not say that would be the case in all cases.

Q.—What kind of case would you not apply the rule to ?

A.—Sometimes there might be trifling matters to which there was no great importance attached, which persons would be willing to forego.

Q.—Their opinions ?

A.—If there was no real principle.

Q.—But in very important matters you think it would be carried by a majority—do you ?

A.—Well, there was a principle at stake ; if I believed I was doing right, that the case would be benefited more by passing it by a simple majority, why then I would pass it ; if I believed it was right to do it.

Q.—Although other brethern believed just the contrary ? A.—Yes.

Q.—Although the other brethern believed just the contrary ? A.—Yes.

Q.—You would carry it your way ?

A.—Yes, if there was a majority—a reasonable majority.

Q.—That is the way you would act if you were a clerk ?

A.—Yes, I would do that.

Q.—You would over-ride the will, and wish, and rights of the minority ?

A.—I would not call it the rights, because I have often been in the minority ; and I would endeavor to gain my point by all reasonable or sound argument, I would do everything I could to have the right succeed ; if I was unable to carry my point, and the majority were carried in that, and they prevailed, I would then consider that I was relieved from all responsibility in the matter, that I had done my best.

11670

Q.—No matter how vital you considered the matter to be ?

A.—No matter how vital ; I would consider that I had done everything that I could to do right.

Q.—And you would submit to the majority ?

A.—Yes, I would submit to the majority.

Q.—And you think that was the ancient practice among Friends ?

A.—I think it was.

11680

Q.—Now, you yourself thought it should be laid over ?

A.—Well, that was my own view of it.

Q.—Why ? A.—At the time it was brought up I thought—

Q.—Why were you willing to have it laid over for a year ?

A.—I was willing, thinking that perhaps it might be better as some objected to it, to have it laid over.

Q.—And why did you not act upon that ?

A.—Well, the reason as stated before that I didn't act upon it, it was argued very strongly that, as much time and pains had been taken by men that were better posted than what we were, that had given it a great deal of attention, and that it would not be any nearer union in a year than if it was passed then.

Q.—And there would be no advantage in brethern having an opportunity of studying it and considering it ?

A.—It was thought the matter would settle down.

Q.—They would swallow it ? A.—It was thought that if the discipline had passed, and become law.

Q.—And you were determined they would swallow it without knowing what it was ; was that the conclusion you came to ?

A.—I thought under all things it was advisable to pass it ; I so stated at the time.

Q.—You rather urged it being laid over ? A.—Not in the meeting.

Q.—To anybody ?

11700

A.—I think I might have talked in that strain to some friends outside.

Q.—Privately ? A.—Yes.

Q.—But your ideas were removed. Your notion on that point was removed ?

A.—Well, after hearing all the discussion and talking, I came to the same conclusion that some of the rest did, that it would be better to adopt it then.

Q.—Was there a show of hands at any time?

A.—I don't think there was; not about the discipline.

Q.—You were out and in? A.—No, I was in all the time.

Q.—I understood you to say you talked to some other parties? A.—Not during the session.

Q.—Not during the time the meeting was going on? A.—No.

11710

By Mr. CLUTE:—

Q.—My learned friend put the question to you, and you were about to answer it, as to whether or not it was customary for the friends who were opposing a measure, to openly withdraw that opposition; and you were about to make your answer?

A.—I said that it was not customary for them to openly withdraw it. I have known it at different times for Friends that were opposing it very strongly and perhaps in a minority, that is saying the same thing. I am not speaking of any particular measure that might come up before the meetings for discussion, where there would be diversity of opinion, and though they would very strongly endeavor to narrow their point, and speak more than once, and after having done all that they could do, they would say that they now proposed to be in subjection to the majority of the meeting. I have heard expressions of that kind.

11720

Q.—But where nothing was said at all, I suppose the way of submitting would be simply to allow the matter to pass?

A.—That is what I stated before that, it was not customary to get up and withdraw anything. That is what I intended to say when I was going to speak.

James F. Barker, sworn for plaintiff, testified as follows:—

By Mr. BETHUNE:—

Q.—You are a member of the Society of Friends? A.—I am.

Q.—How long have you been such? A.—36 years, nearly 37.

Q.—Is that from your birth? A.—Yes.

11730

Q.—And you have been a Minister how long?

A.—I have been acknowledged Minister about 5 or 6 years.

Q.—You are at present the Superintendent of the College? A.—Yes.

Q.—Is that the term, "Superintendent" or "Principal." A.—Superintendent.

Q.—You have heard the statement as to Doctrine made by Mr. Woodward to-day ?

A.—Yes ; most of it ; I was out perhaps 3 or 5 months.

Q.—But substantially you heard what he said about that ? A.—Yes.

Q.—And did you hear what Mr. Uptograft said ? A.—Yes.

Q.—Well, do you agree with them in what they say ? A.—I think I do.

Q.—Do you agree with them ? A.—I do.

11740

Q.—Now, you have some other office in the Society, have you not ? You are assistant Clerk I think of some of the meetings ?

A.—I am assistant Clerk of the meeting for ministry and oversight of ministers and elders in Yearly Meeting.

Q.—And have you been Clerk of meetings ? A.—Yes.

Q.—How long ? A.—Oh, I couldn't tell exactly how long.

By COURT :—

Q.—You have been clerk of other meetings you say ?

A.—Yes, I was Clerk of Preparative Meeting for a length of time, and assistant clerk of Monthly Meeting, and I have been assistant clerk of Quarterly Meeting.

11750

Q.—Now, I observe that one of the entries in question here is that in the Mens' Meeting, it is put down as their judgment of this meeting that it be adopted, that is, the discipline ; and in the Womens' Meeting it is put "the prevailing judgment, that it be adopted" ? Now, before this dispute came up do you know whether it was usual to enter the words "Womens' Meeting prevailing judgment," before this dispute about the discipline ?

A.—Yes.

Q.—Give me any instance of it while Adam Spencer was Clerk, his making entries of that kind ?

A.—Yes, I can give you one instance in particular. It will appear in the minutes of the Yearly Meeting, in minutes of '77, fourth page and fourth article, I think in the regular minutes of '77.

Q.—That you say was while Mr. Spencer was Clerk ? A.—Yes.

11760

Q.—Have you seen other entries made by him ?

A.—I have known entries to be made of that kind ; I couldn't state them. It was quite a common thing for that to be done.

Q.—To come down to the time when you began to read before the Yearly Meeting this discipline which was ultimately adopted. Tell me what occurred ; you were present at that Yearly Meeting ?

A.—Before it was read at all, the Clerk asked the question, what the mind of the meeting was with reference to the report of the Representative Meeting, and some proposed to accept the report, others proposed to defer the matter for another year, and then there was a discussion took place as to whether the thing should be considered then or deferred to another year for consideration, and it was finally decided that it should be considered then, so then the Clerk proceeded after it was decided that he should read the discipline clause by clause, and to stop at the end of every clause for any one to make any objection that they saw fit to make, and then when that was decided he proceeded to read the discipline clause by clause, he and the assistant Clerks, and it was so read on to the conclusion, giving an opportunity for objection at the end of every clause. There was no objection made from one end of the discipline to the other to any single clause of the discipline, that having occupied two sessions of the Yearly Meeting. At the third session of its consideration there was a free discussion as to adoption of what had been read, in which everybody was at liberty to take part and to fully express their minds, after which the Clerk decided that, in taking the judgment of the meeting, he wanted the discussion should cease, and that each individual should speak once to the point as to whether it should now be adopted or not, and so ruled that no one should discuss the matter any further. 11770 11780

Q.—That I understand was after there had been a long discussion?

A.—Oh, a full discussion. And then after every one had consented or objected to the adoption of it, the clerks decided that it was the judgment of the meeting that it be adopted.

Q.—Well, was anything said after that?

A.—There was nothing said as to the adoption of it after that, further.

Q.—Was anything said about the minute itself? A.—No, nothing.

Q.—No objection made to that? A.—No.

Q.—Was the minute read? A.—No. 11790

Q.—Was the minute read? A.—The minute was read.

Q.—Then what next happened?

A.—The question came up as to when it should come in force, I think it was by those who had opposed the adoption, and then that matter was discussed, and some one proposed that it should not come in force until the first of the next year, which was unanimously united and no objection.

Q.—There was no objection at all to that? A.—No.

Q.—Then a minute, I think was passed appointing a committee as to the date at which the discipline was to come in force. Is there a Levi Rogers?

A.—I am not sure, but what Levi Rogers was appointed, and Samuel Rogers' name afterwards

substituted, or something of the kind, Levi Rogers was on that committee, not Samuel; and then 11800 when that committee reported, the committee was continued. When they reported as to how many should be obtained, then the committee was continued to obtain the number that they reported should be obtained, with the exception that Samuel Rogers' name was put in place of Levi, at that junction.

Q.—Well then you say that no opposition of any kind was manifested to the second minute?

A.—No, they seemed perfectly unanimous.

Q.—Was there any further discussion during that Yearly Meeting at all about this discipline?

A.—Not in the Yearly Meeting.

Q.—Well then when you came to adjourn to Norwich; tell me how that came about?

A.—There was a proposition went from Norwich Monthly Meeting to the Quarterly Meeting, to 11810 ask the Yearly Meeting to adjourn, to meet at Norwich, and the Yearly Meeting considered the matter, and adjourned to meet at Norwich.

Q.—Well, do you remember whether anything was said about the legality of their adjourning to meet at Norwich instead of adjourning to meet at Pickering?

A.—Yes, I think there was a proposal made the year previous, not perhaps in the same way, but from some of the representatives present, to adjourn to some other place, and a committee was appointed to see whether there were any legal objections, and it was reported at the Yearly Meeting the following year, but there were none.

Q.—Do you remember anything being said by any of these defendants about that, about their being any legal objection in the way?

11820

A.—Well, I remember that when Thomas Clark's report—he in his report says there were no legal objections raised to Gilbert Jones, who assented to the fact that there were no legal objections.

Q.—No legal objections to adjourning the meeting to Norwich?

A.—Yes.

Q.—When was it you determined to meet at Norwich. Was it the last day, or had it been informally determined before?

A.—Of course the minute adjourning to Norwich would be the last minute made of that evening.

Q.—Though the minute hadn't been made had the question been discussed in meeting before that period?

A.—Oh, the question was discussed.

11830

Q.—Were you united about that, about meeting at Norwich?

A.—Generally united, but there were some objections.

Q.—Were these persisted in anyway ?

A.—No, they were not persisted in. There were objections made but not persisted in.

Q.—Then when the final minute was made announcing that they adjourned and proposed meeting at Norwich next year at the usual time, if the Lord permit—was any objection made to that minute ?

A.—No.

Q.—Now, it appears from the minute of the Defendants' meeting, their first minute, that the first thing they did was to restore Mr. Spencer and some others to membership—do you know how it was that they had ceased to be members ? Do you know anything about that ?

11840

A.—I do

Q.—It recites, "that, whereas by an account of Yearly Meeting held in '78 members of Pelham were suspended," how was it that they were suspended or cut off from the Society ?

A.—It was because of insubordination.

Q.—In what did the insubordination subsist ?

A.—Well, I have a statement that I read before the committee that the Yearly Meeting appointed to investigate the matter, and it would, perhaps, save time if it was read.

Q.—Put it shortly.

A.—Simply the unwillingness to unity with the decision of the quarterly meeting in their case. They had refused to submit to the judgment of the Monthly Meeting and carried it to the Quarterly Meeting, and the Quarterly Meeting decided in favor of the Monthly Meeting, and then they carried it to the Yearly Meeting, and the Yearly Meeting decided in favor of the judgment of the Quarterly Meeting. They were disowned by the Monthly Meeting.

11850

Q.—Then that was carried to the Quarterly Meeting ?

A.—Yes, they set up what they called a Monthly Meeting.

Q.—They set up a separate Monthly Meeting themselves ?

A.—Yes, I sent minutes to the Quarterly Meeting which were rejected by the Quarterly Meeting.

Q.—So that by the act of setting up the separate meeting, that act of subordination they cut themselves off from the Society ?

A.—Certainly.

11860

Q.—Did you hear Mr. Adam Spencer say anything yourself at your Yearly Meeting in '78, about

what was determined connected with that ?

A.—A.—Yes.

Q.—What was it ?

A.—After the Yearly Meeting had appointed a committee to investigate the matter, and that it had reported to the Yearly Meeting, and the Yearly Meeting adopted their report, Adam Spencer arose and said that upon that action of the Yearly Meeting he was no longer a member of Canada Yearly Meeting, and would therefore withdraw from the meeting and did so.

Q.—That was in what year ? A.—In '78.

Q.—Then he didn't attend in '79 or '80, or attempt to attend ? A.—No.

11870

Q.—Or hold any fellowship with your body ? A.—No.

Q.—Mr. Wood, I think spoke yesterday of some alleged unsoundness of doctrine on your part ?

A.—Yes.

Q.—I want to explain the particular occasion, or occasions to which he refers ?

A.—If I remember aright what he alleged was, that I should have said that Jesus Christ was a lamb slain before the foundation of the world ; I think that was his statement.

Q.—Drawing a distinctinn between that and from the foundation of the world ?

A.—Yes, he was entirely mistaken as to the text which I quoted. The next that I quoted will be found in the 1st chapter of the 1st Epistle of Peter, " For as much as you know that you were not "redeemed with corruptible things as silver and gold, from your vain supposition received by probation 11880 " from your fathers, but with the precious blood of Christ as of a Lamb without blemish and without "spot who was thoroughly fore-ordained from the foundation of the world, but was manifest in these "last times."

Q.—There was a misunderstanding of what you did say ?

A.—It must have been a misunderstanding or perversion, one of the two.

Q.—Did you ever attend the meeting of the New York Yearly meeting, before your body was set apart in Canada ?

A.—I did.

Q.—You can tell from your knowledge of the New York Yearly meeting whether they were Gurneyites ?

11890

A.—They were considered so, and called so by the Wilburite party.

Q.—They were followers of Gurney, as distinguished from the followers of Wilburite ? A.—Yes.

Q.—Then are you aware of ever having taught any Doctrine that was in conflict to any extent with the discipline contrary to the discipline '59 ?

A.—I don't know that I am.

Q.—There was one other item; I was accused of calling the Scriptures, "the word," I may have used the word in that connection; I may have called the Scriptures "the word" in my Ministration, but in speaking upon that subject I am always very careful to distinguish between the written word and the word made flesh. The Bible calls them both the word. The Lord Jesus spoke of the Scriptures as "the word of God," Himself.

11900

Q.—That is to say, you distinguish between the word as used by the Apostle John in his Gospel Logos, and the written word ?

A.—Yes.

Q.—Is there anything else now that occurred to you that that they have alleged against you ?

A.—I don't remember that they alleged anything else.

By Mr. McLENNAN :—

Q.—Were you born in the Society of Friends ? A.—Yes.

Q.—Where were you born and brought up ? A.—In Township of Norwich in County of Ontario.

Q.—You have lived in Canada all your life I suppose ? A.—Yes.

Q.—And you belong to the Pelham Yearly Meeting ? A.—Pelham Quarterly Meeting.

11910

Q.—How long did you live there and belong there ? A.—I belong there still.

Q.—I thought you were in Pickering ? Y.—I am residing in Pickering.

Q.—When did you come to reside in Pickering ? A.—Two years ago.

Q.—Before that you resided in ? A.—In Norwich.

Q.—Are you a Minister ? A.—Yes.

Q.—How long have you been a Minister ? A.—Five or six years.

Q.—When did you first see the new discipline, New York ? A.—In '78 I think.

Q.—The year after it passed ? A.—The year after it passed in New York.

Q.—After it was first adopted ? A.—After it was adopted by the New York Yearly Meeting. Yes.

Q.—And who was it that suggested its being adopted by this Yearly Meeting ?

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A.—Well, I couldn't tell who first suggested it, I don't remember.

Q.—Did you know before the Yearly Meeting that it was intended to bring it up? A.—Oh, yes.

Q.—How do you know that?

A.—Well, it has always been talked of, ever since the establishment of the Yearly.

Q.—Have you heard the Defendants here, who said they never heard of such a thing?

A.—I am talking about the revision.

Q.—I am speaking of the discipline, we have not had a revision?

A.—I don't understand that at all, I understand we have had a revision.

Q.—Do you mean this new discipline is a revision? A.—I do.

Q.—That is your idea?

11930

A.—Certainly, it is a revision of the discipline of '59.

Q.—You think the introduction of the new discipline into Canada Yearly Meeting was a revision of the former one?

A.—I don't say that, the introduction of this into Canada was a revision, but I say this new discipline is a revision of the old.

Q.—What I asked you was, who it was suggested the introduction of this new discipline into Canada?

A.—Well, I don't know for certain who it was, but it had been talked of from time to time, that we thought of the change of our discipline.

Q.—Had there been any talk about introducing this discipline before the Yearly Meeting?

11940

A.—Yes, Thomas Lloyd a minister of New York Yearly Meeting was at our Yearly Meeting in '78, and knowing that we were thinking of revision and they had just revised theirs, he brought along quite a number of their disciplines for distribution in Canada Yearly Meeting, and at that time they were distributed among them.

Q.—Did you get one?

A.—I did in '78; that was two years previous to our adopting it, there was a great many others got them too, I could name a number of them.

Q.—Did any of our Friends get any of them, that you know of?

A.—I don't know about that.

Q.—You say that this new discipline was read through from beginning to end, and that there was no objection in the course of its reading?

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A.—I do; I don't say it was read continuously through without a pause; there was a pause made.

Q.—You say there was no objection made from beginning to end of the reading? A.—Not one.

Q.—Not even when the appointment of elders was read? A.—No.

Q.—You were present? A.—Yes.

Q.—And you remember?

A.—Yes.

Q.—And you swear there was no objection made?

A.—I affirm there was no objection made.

11960

Q.—Until the end? A.—Not till the end of the reading.

Q.—Then there was no objection till the end?

A.—No discussion until it was all read.

Q.—It was just read through in silence?

A.—It was not read in silence. There was no discussion. It was read vocally.

Q.—It was not read through by the clerk in silence of the meeting? A.—Yes.

Q.—Nobody said anything or made any commentary?

A.—I won't say that, because sometimes the clerk was asked—

Q.—Was any commentary made?

A.—I think there was in this way, that the clerk was asked sometimes to re-read a certain part 11970 after he had read it, "will the clerk please read that again?" Sometimes the question was asked as to how it corresponded with the old, and there was some remarks made about it, but no objections.

Q.—But after it was all read through, there were objections made?

A.—Yes, not to any particular part but as to the whole.

Q.—Not to any particular part; what objections were made?

A.—The objections were made on the ground of haste.

Q.—Any other?

A.—I think that was the chief objection, I don't remember any other.

COURT.—Was the question of the Eldership discussed? A.—Well, it might have been.

Q.—Why do you think it might have been? A.—I don't remember that it was not.

11980

Q.—Do you remember that it was? A.—I don't remember that it was.

Q.—You don't remember that it was not? A.—No.

Q.—And how are you able to affirm that there was no objection made during the course of the reading?

A.—Because I remember distinctly.

Q.—Not even to the Elders? A.—Not to any part of it.

Q.—And you can't say there was any objection made at the end of it to the Elders, at the end of it, the conclusion?

A.—No

Q.—Were many opposes? A.—Quite a number.

11990

Q.—Were there any other reasons given than haste? A.—That was the principal reason.

Q.—Do you remember any other reason given than haste? A.—No, I didn't.

Q.—You have forgotten? A.—I don't know, there might have been.

Q.—If there were other objections you have forgotten them? A.—Yes.

Q.—Did any of them withdraw their objections? A.—I consider they did, all of them.

Q.—Who? Name some? A.—All that were there.

Q.—Name some who withdrew their objections? A.—I would name all that were there that did object.

Q.—Just name one or two?

A.—I don't say they got up and said they withdrew it at all, I don't say that, nobody did that; 12000 nobody said that.

Q.—Nobody did get up and say they withdrew their objections?

A.—No, but they withdrew their objections practically by acquiescing in the enforcing of the discipline on the first of the year.

Q.—That is your opinion? A.—That is my opinion, yes.

Q.—I ask you for facts? A.—I consider they did in that way.

Q.—Anything they said was against it, those that were opposed to it, whatever they spoke was against it?

A.—No, I don't say that because I say when they united with its coming in force on the first of the month ; I consider that was for it, that was a part of it.

Q.—In your opinion ? A.—I am only answering my own judgment.

12010

Q.—You were in favor of its being passed ? A.—Certainly.

Q.—Then and there ? A.—Yes.

Q.—Without delay ? A.—Yes.

Q.—Without further consideration ? A.—I was in favor of its being adopted that day.

Q.—Why were you against it standing over for further consideration ?

A.—Because I considered it had been thoroughly considered by those to whom it had been confided.

Q.—To whom had it been confided ? A.—Representative meeting.

Q.—Had this new discipline been confided to them ?

A.—The question of revising the discipline.

Q.—And they had confided it to a committee ?

12020

A.—They had confided it to the committee.

Q.—And the committee had done nothing ?

A.—They had confided to a committee the work of preparing a copy of revision to submit to the Representative Meeting. It will be in the minutes of '77. (Minutes now read, minutes of the Pelham Quarterly Meeting, dated 1879, July 1st.) These are the minutes of the Representative Meeting. Canada Yearly Meeting, but there came to the Yearly Meeting in the minutes of Pelham Quarterly Meeting the request that the discipline be revised. The Yearly Meeting united with the proposition, and referred the revision to this meeting, that is, the Representative Meeting. Thomas Clark, Wm. Wetherald, and Ira Clark are appointed to take the subject into prayerful consideration and report their decision to this meeting.

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Q.—That is the deliverance of the Representative meeting in July, '79 ? A.—Yes.

Q.—That is after the matter had been put in charge of the Representative Committee of the Yearly Meeting of that year ?

A.—In charge of the Representative Meeting. Yes.

Q.—They were to consider the revision which was put in charge of this committee ?

A.—They were appointed to take the subject into prayerful consideration and report their decision to this meeting.

Q.—That is what they were asked to do ? A.—Yes.

Q.—There is no mention there of the New York discipline? A.—No.

Q.—That committee to whom it was committed did nothing?

12040

A.—Well I would not say that, that they did nothing.

Q.—They didn't meet?

A.—Well, they appointed a meeting, and that is doing something.

Q.—Do you know that they appointed a meeting? A.—No.

Q.—Were you one of them? A.—No.

Q.—Well they appointed a meeting, but they didn't meet? A.—No.

Q.—And they did nothing on the subject that was committed to them at all events?

A.—They did nothing in the way of making revision or preparing one.

Q.—When was it taken up next?

A.—At the next Yearly Meeting of the Representative Meeting.

12050

Q.—When was that? A.—1880.

Q.—What time in 1880? A.—It was 25th June, '80.

Q.—Same day that the Yearly Meeting met?

A.—I think it would be the day before.

Q.—And what was their deliverance about it?

A.—The Friends appointed to have revision of the discipline made report that circumstances prevented their being able to meet as agreed on, and they were therefore not prepared to offer any revision. This meeting unites in having the subject referred to a future sitting for consideration.

Q.—That is just what the Representative Meeting did then?

A.—Yes, and then next day the matter came up.

12060

Q.—There is no mention there of the New York discipline? A.—Yes.

Q.—Then they took it up again did they? A.—Yes.

Q.—When was that?

A.—Next evening, I think, the important question of revising the discipline or adopting a new one having been under consideration, it was the judgment of this meeting that the present New York discipline be adopted.

COURT.—Was that a minute of Representative Meeting or Yearly Meeting?

A.—Minute of the Representative Meeting, and it was forwarded to the Yearly Meeting.

Q.—Where was that Representative Meeting held? A.—At Pickering.

Q.—Was the Yearly Meeting going on at that time? A.—Yes.

12070

Q.—The Yearly Meeting had commenced?

A.—Yes, that was on the sixth day and this was on the seventh day.

Q.—So that it was taken up for the first time the first mention we have of the New York discipline is on the second day of the Yearly Meeting?

A.—Yes, the first mention in the minutes.

Q.—Then on what day was it first brought before the Yearly Meeting?

A.—I think on the second or third day, I would not be sure.

Q.—The second or third day after that? A.—Yes.

Q.—As far as you have discovered them, that is the first mention of the New York discipline in the New York Yearly Meeting proceedings?

12080

A.—The first mention in the minutes.

Q.—There were two stages of the discussion if I understand you aright then, after it was read through; there was first the general discussion?

A.—Yes, there were two stages of the general discussion.

Q.—After it was all read through there were two stages? A.—Yes.

Q.—There was a general discussion? A.—Yes.

Q.—And then you say you restricted everybody to speak once?

A.—Upon the subject; shall we pass it or not?

Q.—To ask, shall we pass it or not? A.—Yes.

Q.—And then what objections were made? A.—None.

12090

Q.—Or who objected?

A.—Simply said, I united or disunited.

Q.—And the brethren rose up and stated that they disunited?

A.—Some did.

Q.—And some did not? A.—And some did the other.

Q.—And that was the way then in which the question was put? A.—Yes.

Q.—And as the result of that the clerk prepared this minute? A.—Yes.

Q.—After having asked the brethern whether they united or did not unite? A.—Yes.

Q.—That was all that was allowed to be said at that stage? A.—Yes.

Q.—At that stage all that was allowed to be said was yea or nay? A.—Yes.

12100

Q.—It was in fact taking a vote?

A.—You might call it so, it amounted to the something; that was the only way to get at the expression of the meeting.

Q.—I suppose if one stood up and said yea, and another stood up and said nay, that was all that was required?

A.—At that stage.

Q.—Were they counted? A.—I don't know.

Q.—Did you count them? A.—No.

Q.—And the Friends who were opposed stated their objection in the way you have described, first giving reasons, and afterwards when the Yeas, and Nays, were called, stating their Nays?

12110

A.—Yes.

Q.—Now, in your opinion does a majority suffice to carry a matter before Yearly Meeting?

A.—Under what circumstances?

Q.—Any circumstances whatever?

A.—I don't think it would be under some circumstances, but I don't think it would be under other circumstances.

Q.—What class of circumstances would be sufficient, and what not?

A.—Well, it would not be sufficient in my mind where the meeting was generally united upon the general work of the Church; it would not be advisable to decide by a majority.

Q.—But if they were united there would be no necessity for a majority?

12120

A.—People might be united on general work of the Church, yet a question might come up on which they would not be united, and under those circumstances I think it would be wise to exercise very great defence towards them.

Q.—Upon a matter relating to general work of the Church it would not be right?

A.—I didn't say that, I said that when the meeting was united upon the general work of the Church that, if a special case came up before the meeting, in which the meeting was not perfectly united, it would be unwise to pass it.

Q.—You mean when the body is in a state of harmony? A.—Yes, on general subjects.

Q.—Then the rule of majorities is not proper?

A.—I don't think it would be proper to press, I think it would be legitimate and right.

12130

Q.—But if they are not in harmony, and there are divisions among them, then the majority rule is proper.

A.—There is no alternative, or else to cease as a Church to transact business, one man could stop the work of the whole Church

Q.—That is, he could stop the particular measure?

A.—When there is discussion one man might stop everything.

Q.—Perhaps he might? A.—I don't think it would be proper.

Q.—And if he was a proper member to have in the body, then his opinion ought to be as good as any other man's opinion?

A.—That is all right. He might not be the proper member to be there, and yet there might not be a proper opportunity yet to deal with it.

Q.—There was no other alternative? A.—Under those circumstances.

Q.—And that state of circumstances existed in this body? A.—It did.

Q.—That was a state of disunion? A.—Yes.

Q.—Which made it proper therefore to apply the majority rule?

A.—It would have been proper, I don't say but they did that, but I say it would have been proper.

Q.—Wasn't it a majority here?

A.—It was a majority, but it was not decided simply in the majority.

Q.—There was a large minority? A.—There was quite a minority.

Q.—How large should you say? A.—About a quarter.

12150

Q.—But you didn't count? A.—I did not count.

Q.—There had been adjudged pretty near an equal division?

A.—None of the brethren of the church, I don't think any brethren of the church will say that.

Q.—But you heard witnesses affirm there in the box, didn't you? A.—Yes.

Q.—Although you didn't count? A.—I do say they are wrong.

Q.—You were very anxious to oppose this? A.—Not very anxious.

Q.—You were willing to lay it over? A.—I was not disposed to lay it over.

Q.—You were opposed to laying it over and giving it further time? A.—I was.

Q.—You had read it yourself? A.—Yes

Q.—Had read it, and considered it, and studied it? A.—Yes.

12160

Q.—And were satisfied with it?

A.—It was part of my business to do it, I was one of the Representative Meeting. The Representative Meeting would not be supposed to pass that in without considering it.

Q.—How many were there in the Representative Meeting.

A.—The Representative Meeting was composed of 30 members.

Q.—How many copies of this had you among you? A.—I don't know, perhaps a dozen.

Q.—You had a dozen of them among your Representative Meeting? A.—Yes.

Q.—How many of you had studied this

A.—We all studied it before we passed it, it was read over in the Representative Meeting very carefully.

12170

Q.—And you had studied it before? A.—Yes.

Q.—And you thought it proper to press it upon the minority of the Brethern without their having any opportunity of perusing it carefully?

A.—I thought it was proper to do just what they had directed us to do the year before.

Q.—And you think it is proper to pass a revision of the discipline in that manner do you?

A.—I do.

Q.—You say there was no opposition to the meeting at Norwich? A.—I didn't say that.

Q.—Well, what was the fact?

A.—I didn't say that; I said there were objections made to it when it was under consideration.

Q.—By a number? A.—Very few.

12180

Q.—How many should you say, what proportion? A.—I don't think there was over half a dozen.

Q.—Were they strongly opposed to it? A.—Not very, did not appear to be.

Q.—Was there a vote taken upon that, yeas and nays?

A.—Simply a discussion, and the Clerk gathered the sense of the meeting.

Q.—Did he ask Brethern to say whether they were for it or against it?

A.—Oh, he always does that, it has always been the custom to.

Q.—And a number declared themselves against it?

A.—There was a very small number that objected to it; not strongly.

Q.—Did others say they were for it? A.—Yes.

Q.—And the clerk recorded what we have here? A.—Yes.

12190

COURT.—Only seven or eight objected to it, I believe?

A.—That is all that I remember.

Q.—And they did not persist in objections?

A.—No, just simply objected.

Mr. BETHUNE.—Where was this, in the representative meeting?

A.—No, in the Yearly Meeting, in the adjournment to Norwich.

Mr. MACLENNAN.—You say that the New York Yearly Meeting were Gurneyites? A.—Yes.

Q.—You said they were so considered? A.—Yes.

Q.—What did you mean by saying they were so considered?

A.—Considered so by me, considered so by my parents and considered so by Wilburites.

13200

Q.—Was that what you meant when you answered the counsel?

A.—I meant all those when I answered the counsel.

Q.—What do you know about it of your own knowledge, how many members have they in the New York Yearly Meeting now?

A.—I don't know.

Q.—Have you any idea?

A.—Oh, I think about between 8,000 and 4,000.

Q.—How do you know they are Gurneyites?

A.—I know it by actual existence of the correspondence that obtains between them and the Gur-

neyites Yearly Meeting, I know it by the correspondence that is continued between them and the 12210 corporate Yearly Meeting.

Q.—What correspondence is that? A.—Annual epistles.

Q.—Have you seen it?

A.—Yes, it comes to our Yearly Meeting every year, unless it miscarries by mail.

Q.—What does it contain which indicates that they are Gurneyites?

A.—Well, I would not say that it contains anything that indicates that they are Gurneyites further than the fellowship it expresses with us.

Q.—Simply because they choose to send an epistle, that is all?

A.—Yes, and I know that they don't send one to the others.

Q.—The simple fact that they send an epistle to the Canada Yearly Meeting?

12220

A.—And to other Yearly Meetings.

Q.—How do you know about other Yearly Meetings?

A.—I have been to other Yearly Meetings where epistles addressed to this meeting.

Q.—And you learn there was an epistle addressed from them to the others? A.—Yes.

Q.—But this epistle does not show that they are Gurneyites; it is simply the fact of the epistle that shows that they are Gurneyites?

A.—No, I do not say that, I say that fact does show it, but the expression fellowship in them shows that they are in unity with this body, and if they were not Gurneyites that would not be.

Q.—You reason that?

A.—Yes, it seems to me it is reasonable, I guess nobody objects to it.

12230

Q.—When did you become aware of these epistles first? A.—In my childhood.

Q.—In the first time when you belonged to the New York Yearly Meeting? A.—Yes.

Q.—Now these Canada meetings, Quarterly and Yearly, were they Gurneyites?

A.—Yes, considered so.

Q.—When did they become Gurneyites?

A.—They had always been in fellowship with the Gurneyites.

Q.—The Westlake Monthly Meeting adopted these new doctrine that Uptograff tells us that he and

others started—adopted Gurneyite teachings, and will you tell me that these meetings here, the Monthly meetings here have adopted the Gurneyite teachings?

A.—Yes.

12240

Q.—When?

A.—At the time that New York Monthly Meeting decided as to which she recognized at the time of the separation in New England, at the time that the New York Yearly Meeting recognized which was their real Yearly Meeting in New England.

Q.—At the time she determined what Yearly Meeting she would associate with? A.—Yes.

Q.—That was an adoption of the Gurneyite doctrines?

A.—I would not say it was the adoption, but it was the declaration of the fact.

Q.—Would that be binding on the members? A.—Yes.

Q.—To adopt those new Doctrines?

A.—As long as they remained in unity of the Yearly Meeting.

12250

Q.—Would it impose upon you the obligation of changing the belief in which you had been brought up?

A.—I might have had that belief long before.

Q.—If you hadn't as these friends who have been in the box tell us they hadn't?

A.—It would involve one of two things, I mean either unity with the Yearly Meeting or disunity, and if I disunited I would cease to be a member or aspirant to.

Q.—Then the Yearly Meeting, can you impose its belief or its change of belief upon a Subordinate Meeting?

A.—Provided they are not contrary to the principles of the Society at large.

Q.—That is, contrary to the teachings and practice of 100 years or more?

A.—For 200 years or more, we like to go right back to the start.

12260

Q.—Then these Gurneyite teachings you say passed over a space of 200 years in order to get the true Doctrines?

A.—These Gurneyite teachings did exist at the rise of the Society, but were largely lost sight of, and John Gurney revived them.

Q.—And because he revived them, and the Yearly Meeting chose, when the majority of them chose to assent to his teachings, that would impose the teachings upon those who were brought up in different Doctrines, that is your position is it?

A.—If they were brought up in different Doctrines.

Q.—Just as Friends have been brought up for 200 years, and practiced and taught and believed.

A.—I would not say for 200 years in this connection, I would say yes, for 100, but not for 200. 12270

Q.—This change of Doctrine and practice introduced by Gurney.

A.—That was not introduced by Gurney. They were introduced by him, and having been disused for 100 years.

A.—They were revived. I say, not introduced.

Q.—They were introduced into the body where they had been used—speaking of living people they had never been among those people?

A.—We do not say that, we claim there have been living members and living ministers all the way through.

Q.—You differ from Mr. Uptograff then?

A.—No, I do not think I do. 12280

Q.—He says that these doctrines which were revived; if they needed to be revived they must have dead; and they were obscured, and not generally used or practiced?

A.—Well, I will admit that; in the sense of the term.

Q.—If there had been there would have then been nothing for Mr. Gurney to do?

A.—If they had been fully developed and used there would be no revival.

Q.—There would have been nothing for Mr. Gurney to do?

A.—Exactly.

Q.—You believe in prayer, singing and reading the Scriptures?

A.—I do, provided it is under right authority.

Q.—And also revivals? 12290

A.—Provided the Lord leads in that direction, I do.

Q.—And how about singing?

A.—I believe the Lord leads people to sing.

Q.—And to read the Scriptures in meeting? A.—Yes.

Q.—And you do not agree with the authorities Fox and others?

A.—What is the reason I don't?

Q.—Because they say you did not?

A.—They never saw different to that.

Q.—I will read to you the passage? A.—I would like to see it, I never saw it.

Q.—About reading Scriptures in meeting?

12300

A.—I never saw where they said the Lord didn't lead people to reading the Scriptures, I think I am better posted on Quaker doctrines than that.

Mr. BETHUNE.—Barclay objects to reading it as a set form?

A.—We object to reading it as a set form.

Mr. MACLENNAN.—It says, "we meet not to read Scripture, but to wait on the Lord and be taught of Him," Barclay?

A.—That is all right referring to passage 12 of the edition of 1692, but if we met to read the Scriptures it would be a set and fixed thing that, that is what we go for, and that is what we are going to do, that is what he means exactly.

Q.—"We meet to worship God, whose worship is to be performed in spirit and in truth," and 12310 that was made in reply to one who objected that the Bible is not to be seen in all their meetings, this was Barclay's reply to the objection?

A.—Well, not to be read in all their meetings.

Q.—The Bible is not seen in all their meetings, that is it is not seen in any of their meetings, that is what the objector said?

A.—Somebody made that allegation.

Q.—The objector was casting it up to the Friends that they didn't use a Bible, and that you wouldn't see one in any of their meetings, and Barclay answered, "We do not meet to read the scriptures, but to wait on the Lord and be taught of Him, and that is the reason there is no Bible seen in any of our meetings?"

12320

A.—That allegation is untrue. Barclay does not say there are no bibles in the meetings

Q.—His answer is not that it is not true?

A.—He says emphatically that the scriptures were read in early times by Peter, and thus acknowledges that that is all right.

Q.—My learned friend read a passage from his writings, and I read a little more of it; objection, "but they allege that Christ took the book of Isaiah and read out of it, and spake therefrom, and that Peter preached from a sentence to the prophet Job."

A.—I answer, "that Christ and Peter did it not, but as actuated thereunto by the Spirit of God,

and that without premeditation, which I suppose our adversaries will not declare in which case we willingly approve of it.

12330

Q.—Which makes your case? A.—Yes.

Q.—“As also from Christ’s sermon on the mount, and Paul’s teachings to the Athenians and the Jews as it there appears this method of teaching is not grounded upon any singular precept, so the nature of it is contrary to the Spirit of Christ under the new covenant as expressed in singular from Christ expressly, for Christ’s example intendid that they are not to speak of themselves, but that which the Spirit in the same hour shall teach them, as particularly mentioned in the three Evangelists.

A.—I agree with them too.

Q.—“Much more were they to do if after their departure, since then they were more especially to read them in the Spirit?”

12340

A.—That is just what we do; I agree with that all through.

Q.—You say that you advocate and practice the reading of the Scriptures in meeting?

A.—As lead by the Spirit, but not in the way in which he objected he objected to it, not as a set formal thing, or independent of any guidance or anything of this kind, we object to this.

Q.—Nor as a regular thing? A.—No, not as a regular thing, unless the Lord lead us.

Q.—You carry your Bibles to the meeting?

A.—Certainly, I generally have my Bible with me wherever I go.

Q.—And read there as an ordinary practice in meeting? A.—A very common thing.

Q.—In that respect differing from the practice for the last 200 years you admit?

A.—Not altogether.

12350

Q.—Why not altogether?

A.—Because people have carried their Bibles with them most of the time during that whole time.

Q.—To the meeting? A.—Yes.

Q.—And read them in meeting? A.—I do not know as to the reading?

Q.—You know to the contrary? A.—I know as for many years.

Q.—The same with regard to preaching and singing?

A.—The same, hardly ever a word said, scarcely ever a prayer made.

• MR. BETHUNE:—

Then there was some observance during that time you say of prayer and preaching too?

A.—Yes; not to the same extent, but there was as a general thing very little preaching and very little vocal prayer. 12360

Q.—Then I find the character of this Representative Meeting is very—very important—it is representative of the Yearly Meeting?

A.—Yes, in all cases where the interests of the Society render it necessary, second, the oversight name of all manuscripts proposed to be printed, and to promote or discharge the publication of them at its discretion, and that is the old discipline under which that meeting was constituted, and it is just the same in the new.

Q.—So that apparently it was part of their duty to have the oversight of the publication of all papers relating to religious papers or testimonies?

A.—It was part of the constitution. 12370

Q.—Was there much care bestowed upon the selection of this representative committee? A.—Yes.

Q.—From the time of the formation of your Yearly Meeting? A.—Yes.

Q.—Both as to the learning and piety of its members? A.—Yes.

Q.—Then was there any dissent in the representative committee itself as to adopting the New York discipline, or were they usually unanimous?

A.—Oh, there was some objections, but it was ultimately entirely unanimous with one exception.

Q.—And who was that exception? A.—Gilbert Jones.

Q.—One of the defendants? A.—Yes.

Q.—But he was only one out of 30 who did object?

A.—He was the only one present that freely objected. 12380

Q.—You told my learned friend, I think the number in your judgment there was about one-quarter of the minority, and three-fourths the other way?

A.—That would be my judgment, it was my judgment at the time.

Mr. MACLENNAN.—When you came to Pickering did you bring a minute with you?

A.—I had a minute in my possession, but not a minute directed to Pickering.

Q.—And were you received there on the minute that you brought?

A.—No, I had no minute directed to that meeting.

Q.—Why not?

A.—Because there were Friends there who were opposed to me in every respect.

Q.—Where? A.—At Pickering. 12390

Q.—And the minute you brought was not received? A.—No.

Q.—No accepted? A.—No.

COURT.—You brought a certificate?

A.—I had a minute for service which I had received from my meeting, leaving me at liberty to exercise my gift in the ministry wherever the Lord might call me.

Q.—That was not accepted at Pickering?

A.—No, I am still a member of my own meeting, that was not a certificate of removal, but was simply a minute for service.

At 6:30 p.m., Court adjourned till 9:30 next morning, Saturday.

Saturday morning, 9:30

12400

Mr. BETHUNE puts in book compiled from the records in 1875, giving dates of the establishment of the various meeting marked as Ex. "M. I."

HOWARD NICHOLSON sworn for Plaintiff, testified as follows:—

By Mr. BETHUNE—

Q.—You are a member of the Society of Friends? A.—I am.

Q.—Of how many years standing? A.—Since birth, 40 years.

Q.—Were you connected with the English Yearly Meeting before coming to this country?

A.—Yes.

Q.—For how many years? A.—Until I came to this country.

Q.—How many years ago is that? A.—21 years.

12410

Q.—Do you hold any office except Clerk in the Society, are you a Minister or Elder?

A.—I am a Minister.

Q.—How long have you been a Minister? A.—Between three and four years.

Q.—You were Clerk of the Yearly Meeting in 1880 at the time the discipline was adopted?

A.—Yes.

Q.—Now, will you tell me what occurred as a committee had reported; we hear that the Representative Meeting had reported the discipline to the Yearly Meeting, reported the adopting of the New York discipline?

A.—That report came before the Yearly Meeting for consideration.

Q.—Now, just tell me what occurred?

12420

A.—The question came upon reports from Representative Meeting, and I turned the attention of the meeting to that question, and we took it up and deliberated on it, and the question was asked whether it was accepted; whether the discipline should be accepted without reading it, which the party who were in favor of the discipline disavowed, and we decided to go on with the reading of the discipline. We did so, the Clerks taking it in turns to read, and pausing after each clause to give an opportunity for questions to be asked, and any remarks made; there were frequent questions asked between the clauses and remarks made as to comparisons between the old discipline and the new. We were anxious, the Clerks at the table seated leading up to what we proposed. We proposed more than once to read the discipline over again. Friends were not satisfied to give a full opportunity to the meeting.

Q.—And after you had finished reading?

12430

A.—After we had finished reading the meeting, was employed in some discussion of the discipline, and after I thought that full time had been given for profitable discussion of the point; we then decided that the discussion should be closed, and that we should proceed to vote—to use a common expression on the acceptance or rejection of the discipline, which we did.

Q.—And how was that done? A.—It was done by speaking vocally.

Q.—In what way, asking them how they wished it?

A.—They each spoke as to how they wished, whether for or against, and to enable me to gather the sense of the meeting accurately, I requested the meeting, I asked the meeting whether they were willing that we should agree that each member should only speak once. Sometimes there had been a good deal of trouble in members speaking repeatedly

12440

Q.—At what point in the procedure was that?

A.—At the closing of the discussion which followed the reading of the discipline, the meeting agreed to that point which was tolerably adhered to with some slight exceptions, with a vote.

Q.—And how long were you in ascertaining after you commenced that, what you thought was the judgment of the meeting?

A.—Just as long as any one was willing to speak on the point, after the closing of the reading of the discipline some one in our body of the meeting proposed that the clerk of the women's meeting should come from her seat, which was half way across the room and sit by me, and she was sitting by me during the discussion which followed in the meeting, and during the time the vote was taken, and after the vote was taken and every one had spoken that wished to, I consulted with her as to the way in which she had gathered the sense of the meeting and we agreed.

12450

Q.—What conclusion did you come to?

A.—I concluded that there was very nearly two-thirds of the meeting in favor of the immediate adoption of the discipline, she agreed with me in the numbers.

Q.—And what conclusion did you come to as to the number who were opposed to the adoption of the discipline?

A.—Something over one-third were opposed, there was not something over one-third opposed to the adoption of the discipline, because the proportion of those speaking said that they were in favor of the discipline, but that they did not wish it adopted immediately, they were willing it stood a little time.

12460

Q.—What proportion of that third were of that number or class?

A.—About half, principally on the women's side.

Q.—And about one-half or one third were opposed to the discipline altogether?

A.—About half I think, 64 per cent, in favor of the discipline.

Q.—That is being adopted at once? A.—Yes.

Q.—Then about half of the residue were not opposed to the discipline itself, but were opposed to its being adopted this year?

A.—Some of them said they were in favor of the discipline, more did not touch on the point, but favored its continuance.

Q.—Of those opposed out and out to the discipline, about half that number, 36 per cent.?

12470

A.—About.

Q.—Then what did you determine to do?

A.—I determined to make a minute subject to the meeting, as I always do.

Q.—And you made your minute? A.—I made my minute.

Q.—Was that minute read to the meeting? A.—That minute was read.

Q.—Was any objection taken to it? A.—No.

Q.—Now after you had made that minute, I find another minute immediately entered in effect saying it is to go into operation on the 1st Jan., how did that come about?

A.—It was the next subject that came under consideration; if there had been any desire on the part of the meeting to interfere when we were touching the adoption of the discipline, I should have stopped it as mixing two points up.

Q.—That was taken up next? A.—Yes, that was taken up next.

Q.—And you say the minute was made which should go into operation on the first of the following year?

A.—Yes.

Q.—Was there any dissent from that? A.—None at all that I remember.

12480

Q.—That seemed to be unanimously adopted ?

A.—It did, there was no dissent made in the meeting.

Q.—Do you remember the request that it should not go into operation until the first of the following year ?

12490

A.—I do not, I had no conception of anything else in my own mind, I never supposed it would immediately go into operation, so I paid no attention to it, I should have thought it absurd if anything should be proposed of that kind.

Q.—Because you had not printed copies by that time ?

A.—No, we were not in a position.

Q.—Now, did you suppose at that time that the whole thing had settled down ?

A.—They had accepted the passing of the discipline, and it had settled down ; the meeting settled down.

Mr. MACLENNAN :—

Those who were opposed to the new discipline expressed themselves strongly against it I suppose ?

12500

A.—They did.

Q.—And none of them withdrew from the position in which they were ? A.—Not verbally.

Q.—And you thought that as there was a majority in favor of it that it was committed to you to declare it carried ?

A.—I think it was due to the majority to declare it carried ; I do not doubt my own power at all.

Q.—Then in your opinion the majority rule in meeting of your community ?

A.—With certain modifications.

Q.—What are the modifications ?

A.—Age and experience in the Society, and religious experience especially, and business qualifications to speak to the business.

12510

Q.—What about these ?

A.—They modify to some extent in my view, the numerical aspect of the case.

Q.—These things modify the numerical aspect of the case ?

A.—To some extent always have done with me.

Q.—Well, you had both age and experience opposed to this ? A.—And also for it.

Q.—And you thought it right to declare it carried against the will of those who had both age and experience on their side?

A.—Against their voice.

Q.—Because they were in the minority? A.—Against their voice.

Q.—Then you know the provision of the new discipline on that subject?

12520

A.—I do I believe.

Q.—Does that make any difference in the practice of the Society?

WITNESS.—The practice that I had previously followed?

Q.—Yes?

A.—This was the first time that I had acted as Clerk at the Canada Yearly Meeting, I was not then acting under the new discipline.

Q.—Do you consider that the new discipline changes the rule?

A.—I can't say that I have compared the two disciplines sufficiently to give an opinion, not on that point, if my ruling in the meeting was ever tested, I should then examine the discipline the same as a lawyer, would the authorities, it never has been tested yet.

12530

Q.—So that you really can't say whether the new discipline has changed the practice on that subject, has changed the law of the church on that subject, that is what I understand you to say?

A.—I do not hold that the discipline makes law on the subject, I should not hold from my knowledge that the discipline makes any law on the subject.

Q.—You are aware that the new discipline makes a new law on that subject, on the subject of majority, and how the clerk should act?

A.—I know there is a clause to that effect.

Q.—And you can't say whether that makes a new provision, or a different provision from the old practice, I think I understood you to say you had not considered it?

A.—I say, I have not compared them, I would rather make that answer.

12540

Q.—Had you studied the new discipline yourself before that time?

A.—To some extent, I believe I had read it through.

Q.—Were you a member of the committee or of the representative meeting?

A.—I was a member of the representative meeting, by virtue of my office as minister, not otherwise.

Q.—Had you considered the new discipline in the representative meeting ?

A.—Yes, I helped to read it.

Q.—You are aware then that Mr. Jones opposed the new discipline in the representative meeting as well as in the Yearly Meeting ?

A.—I suppose so, if I was present, I could not recollect that Gilbert Jones opposed it.

Q.—You do not recollect that Gilbert Jones opposed it ? A.—I do not.

12550

Q.—You recollect that it was opposed ? A.—I do to some extent.

Q.—Both in the representative meeting and the Yearly Meeting ? A.—Yes.

Q.—Some of the Friends wanted it to stand over to another year for further consideration ?

A.—Yes.

Q.—The 36 per cent. wanted to, didn't they ?

A.—No, I didn't say so.

Q.—Well, what did the 36 per cent. want, what was their view ?

A.—They were divided, about half of them only in favor of the postponement.

Q.—Some wanted it to stand over, and some were opposed to it altogether ?

A.—That is what I said.

12560

Q.—And you didn't think it right to have it stand over for further consideration ? A.—No.

Q.—They complained they had not had an opportunity of considering it sufficiently—didn't they ?

A.—They did.

Q.—And that a large book like that would not be digested simply by hearing it read ?

A.—That was the comment, yes.

Q.—And you thought it fair to carry it in spite of the objection ? A.—I did.

Q.—In what way were the objections made in the representative meeting ; do you remember ?

A.—I don't.

Q.—Do you remember whether objections were made in writing ever ?

A.—I do not remember.

12570

Q.—You were clerk of the representative meeting though—weren't you ?

A.—I was not, not even a member officially, only a member by right of my office and Minister in the Society.

Q.—To what Yearly Meeting did you belong to at that time ?

A.—Canada Yearly Meeting.

Q.—To what Monthly Meeting did you belong, or quarterly ?

A.—I think Yonge St. Quarterly, my certificate was about that time or a little before I think sent from Pelham Quarterly Meeting to Yonge St.

Q.—You had belonged to Pelham ? A.—I had.

CORT.—And the other Monthly Meeting obtained it ? A.—Yes.

12580

Q.—You had previously belonged to Pelham Monthly ?

A.—Well, Norwich Monthly, I am not sure about the date of my certificate being sent late.

Q.—That is Pelham Quarterly ? A.—Yes, the part about the Pelham Quarterly.

Q.—And it was in that section of the meeting the Revised Discipline arose was it ?

A.—The suggestion came from the Pelham Quarterly.

Q.—Were you a party to the making of that suggestion ? A.—No.

Q.—You were in favor of the new discipline yourself in the Representative Meeting ? A.—I was.

Q.—Strongly in favor of it ?

A.—Strongly in favor of it, of the adoption of the new discipline or the revision of the old.

Q.—You were strongly in favor of the new discipline ?

12590

A.—I was strongly in favor of change from the old discipline.

Q.—You say that you did not suppose that the new discipline would go into force immediately ?

A.—No.

Q.—Why ? A.—Because of the legal obstacles.

Q.—What legal obstacles ?

A.—Only being a few numbers in the Yearly Meeting and the impossibility of getting the machinery to work smoothly at once.

Q.—How do you mean few numbers in the Yearly Meeting ?

A.—Because the Yearly Meeting had not provided itself with discipline under her own authority.

Q.—“Few in numbers what do you mean,” the numbers of those opposed ?

12600

A.—I mean there were sufficient copies to furnish the Quarterly Meeting.

Q.—Because there were not sufficient copies of the discipline.

A.— Yes, that was one reason.

Q.—And what legal difficulties did you refer to ?

A.—The difficulty there always is in getting a new lot of machinery to work, the business from the business from the Yearly Meeting goes down to the Subordinate Meeting by printed minutes, and it is generally about this time or a little before this that they reach the Subordinate Meeting, and we would not expect to enforce the discipline into meetings that were not aware of its existence and adoption.

Q.—And that was why it was postponed ?

A.—I do not say that in my mind that was a sufficient reason, quite sufficient, I never harbored 12610 the fact of its immediate adoption.

Q.—In order that there might be time, in order to let the people know what it was ?

A.—That is my own idea, not to let people know what it was, no not at all, I didn't say so, I said to provide disciplines, and to bring the Subordinate Meeting under the conditions that they were under the new discipline ; it was not to give time and authority of becoming acquainted with it ; there was no need for that, it was of no consequence at all whether they became acquainted with it ; not after the Yearly Meeting passed it only so far as they came under its provisions.

Q.—Whether they were acquainted with it or not, of course they had got to submit to it, that was your idea ?

A.—Certainly, after the Yearly Meeting adopted it, certainly.

12620

Mr. BETHUNE :—

You say you were in favor of the change from the old discipline to the new. Were you personally in favor of its standing over until next year ?

A.—I was strongly.

Q.—Did you say so ? A.—I had no opportunity of saying so.

Q.—Then passing it at that moment wasn't to gratify any feeling of your own at all ?

A.—Far from it ; quite the contrary effect on my mind.

Q.—You were acting I suppose as a servant of the meeting ?

A.—I regarded that the meeting was now willing to give way to that extent.

Mr. MACLENNAN :—

12630

Q.—Why ? A.—To satisfy the scruples of those who were opposed to it, no other reason at all.

Mr. BETHUNE :—

There was, you say, that half of the 86 per cent., favored its standing over. What do you mean—do you mean by that they were expecting it should stand over, or only willing it should stand over ?

A.—Willing I should suppose.

Q.—This Representative Meeting does not stand in importance with all the other meetings?

A.—The most important meeting the Yearly Meeting has.

Q.—You say that age and experience was not all on one side at this meeting?

A.—Certainly not, far from it.

Q.—On each side was weight and age and experience according to your judgment?

12640

A.—On the side that adopted the discipline.

MR. MACLENNAN :—

Did you count the numbers? A.—I didn't.

WILLIAM SPENCER—Sworn for Plaintiff, testified as follows :—

Examined by Mr. CLUTE—

Q.—How long have you been a member of the society of Friends? A.—63 years.

Q.—To what meeting do you belong, that is to what Subordinate Meeting?

A.—Pelham Monthly Meeting.

Q.—You are a brother I think of the Adam Spenser, Clerk, of the so-called Yearly Meeting of the defendants?

12650

A.—Yes.

Q.—Were you Clerk of the Yearly Meeting at any time? A.—I was.

Q.—When? A.—'77 and '78.

Q.—Then you were clerk of the Yearly Meeting at the time two reports came up from the Pelham Quarterly Meeting?

A.—Yes.

Q.—You are also, I believe a minister among the Friends?

A.—So called.

Q.—How long have you filled that position?

A.—I can't exactly remember, but I think it is 20 years or thereabouts, may be a little more, it is that anyway.

Q.—Were you present at the Yearly Meeting, '80? A.—Yes.

Q.—When the discipline was adopted? A.—I was.

12660

Q.—Just state what took place when the report from the representative meeting came in, and the matter came up for consideration ?

A.—It was discussed in relation to adopting it, and some spoke for adopting it, at once, and others for not, and finally it resulted in having it read with open shutters, page by page by the clerks, pause to be given any time for each one to object, or anything that they might call for as it was read.

Q.—And then what took place ?

A.—I think it was decided that it should be read.

12670

Q.—And it was read you say clause by clause ?

A.—Clause by clause, yes.

Q.—With a pause after each clause ? A.—Yes, I think so.

Q.—And after it was read, what then, was there any discussion about it ?

A.—Yes, there was a discussion, I believe that each one should have an opportunity given them to discuss the matter.

Q.—Well, was it discussed freely, pro and con ?

A.—It was considerably so at least.

Q.—And what then ?

A.—Then it was decided by the clerk that only one person, that each member present should give his vote as he calls it.

Q.—How do you give your vote as it is called ?

A.—Well, by speaking to it, assent or dissent in the adoption of the discipline.

Q.—Was that here when it was said he declared they should speak but once ? A.—Yes.

Q.—What then ?

A.—A pretty general expression given, I would not say all, but pretty nearly.

Q.—And a minute was made ? A.—Yes.

Q.—Now, you have had some experience as clerk of the Yearly Meeting, and what would you say in regard to those who were in favor of its adoption, and those that were against it, and what was the judgment upon it, as to age, and number and experience, what would you have done if you were clerk ?

Mr. MACLENNAN.—Objects to this question as improper.

WITNESS continues—With regard to their numerical part, I thought there was 65 per cent. in favor, as nigh as I could gather from where I looked over the company.

Q.—In favor of adopting it?

A.—Yes, in favor of adopting it, and perhaps 35 opposed as far as I could judge, favorably.

Q.—Those that were opposed; did you gather that they were opposed entirely to the discipline, or to its present adoption?

A.—Oh, not at all, not entirely.

Q.—How then?

12706

A.—I could not say what percentage. Some opposed it simply on the ground of time, others opposed certain things they didn't approve, I could not say what. I am not favorable on that point.

Q.—Well, then what would you say in regard to age and experience upon another side?

A.—Oh, I think there was age and experience on both sides.

Q.—Well, on which the greater weight, age and experience, as you would gather?

A.—I think there was rather the most on the side of adopting it, considerable more.

Q.—Now did you hear the minute read, did you hear the Clerk read the minute that he had made?

A.—Yes.

Q.—Was there any objection to it?

12710

A.—None at all when he read it that I heard.

Q.—Well, as a Friend, what do you understand by that, when no objection is made; when no objection is made to a minute when it is read?

A.—I understand that the objection has been in submission to the majority, that might need some need some qualifications in the Connections the Suppression Act takes would affirm it.

Q.—What Suppression Act do you refer to?

A.—With regard to the universal views which were allowed at the time it should come into force, that was a sanction to the submissive minority to my mind, so I took it.

Q.—That is they were unanimous as to the time it should come into force? A.—Yes.

Q.—And that you took to your mind as being—

12720

A.—I took it to my mind that their objection was not submitted, and that the responsibility if any there was, fell upon the majority.

MR. MACLENNAN—In such meetings what is the time at which parties usually say they submit, if they do submit?

A.—They usually say it as I understand it in this relation, after they have submitted their opinion which may vary from others, is in submission, considered to be in submission.

Q.—Isn't it necessary that those who intend to submit should say so ?

A.—Well, I think it is, and I think it is a great help

Q.—None of the partles here did that, said that they submitted ? A.—I would not say.

Q.—Did any of them say that they submitted ?

12730

A.—Not in my recollection, I do not know.

Q.—You heard none of them say that they submitted ?

A.—I do not remember hearing any.

Q.—You would be likely to hear if anybody said it ? A.—I suppose I would, I do not remember.

Q.—Were you present until the business was over ? A.—Yes.

Q.—Then the practice is, if I understand you, that if anybody intends to submit he says so ?

A.—Not always, but that has been the general idea that we have gathered unless protested.

Q.—And if parties do not submit, the matter lies over until another meeting ? A.—Not always.

Q.—Or dropped ? A.—Not always, unless it is protested as I said.

Q.—Well, but the Brethern did contest, they stood up a full third of the meeting, didn't they ?

12740

A.—No, not 35 per cent.

Q.—Weren't they called upon to say what their opinion was ? A.—Oh, yes.

Q.—And they did stand up and contest against. Did they not ?

A.—Yes, they said nay.

Q.—And would you contest any stronger than that ? A.—I think so.

Q.—Than to say that you were against it ?

A.—I could say that I was against it, and would not accede to it.

Q.—Well wasn't that what the Brethern said ?

A.—I did not hear them, I do not remember what the brethern said ; I do not remember hearing such an expression.

12750

Q.—Did't they say they were against it ? A.—Not in my hearing, not according as I remember it.

Q.—Didn't they say they were against it when they stood up ? A.—Yes.

MR. BETHUNE :—

I understand in addition to saying that they were against it they wanted to have their protest on record ?

A.—So I understood.

Q.—Amongst Friends if a person does not say that is he taken to submit ? A.—I think so.

Q.—That is your understanding of it ? A.—Yes.

ALBERT STOVER sworn for Plaintiff, testified as follows :—

Examined by MR. CLUTE.

12760

Q.—You are a member of the Society of Friends ? A.—Yes.

Q.—Of how many years standing ? A.—69.

Q.—To what Monthly do you belong ? A.—North Norwich,

Q.—Have you always belonged to North Norwich ? A.—Always.

Q.—Have you any office in the Church ? A.—I stand as a Minister, recorded.

Q.—Of how many years standing ?

A.—Between twelve and fifteen, I can't exactly remember the date.

Q.—You were present at the Yearly Meeting at which this discipline was adopted ? A.—I was.

Q.—Now, after the discipline had been read, what occurred ; was there any discussion upon it ?

A.—Yes, there was somewhat.

12770

Q.—And for how long did the discussion last ? A.—I could not tell exactly, but some time.

Q.—Did you take any part in the discussion ?

A.—No, I don't know that ; I didn't only to give my voice in favor of the discipline.

Q.—That is in favor of the immediate adoption of the discipline ? A.—Yes.

Q.—Well, there were some who were opposed to the immediate adoption of the discipline ?

A.—There was.

Q.—What proportion of the whole meeting, would you say ?

A.—I do not know as I was in a position to say exactly what proportion, but my judgment was that there was a large majority, or quite a majority at least, in favor of the adoption.

Q.—Immediate adoption ? A.—Yes.

12780

Q.—Was there any considerable proportion against the discipline, out and out ? A.—I think not.

Q.—A good many wanted it to stand over? A.—Yes.

Q.—You heard the Clerk announce his minute? A.—Yes.

Q.—And was there any protest against that?

A.—No, not to my remembrance.

Q.—Well, after the minute has been announced what was the next thing that he took up; after it had been read to the meeting and no objection made to it, what is the next thing you did, that is the minute I mean adopting the discipline?

A.—Directed down to the observance of the subordinate meeting.

Q.—Was there any discussion as to when it should go into operation

12790

A.—Yes, there was some discussion with regard to that.

Q.—And a minute was made of that? A.—Yes.

Q.—Now was that minute acquiesced in by everybody?

A.—I do not remember.

WILLIAM P. BARKER—Sworn for Plaintiff, testified as follows:—

Examined by Mr. CLUTE—

Q.—How long have you belonged to the Society of Friends?

A.—A little over 77 years.

Q.—To what meeting do you belong? A.—Norwich.

Q.—What position do you fill in the Church or among the Friends?

12800

A.—I stand as an elder.

Q.—Were you present at the Yearly Meeting in '80? A.—Yes.

Q.—What took place in regard to the passing of the discipline after it was brought in from the representative meeting?

A.—Well, it has been told over and over again here freely, that the clerk expressed how it was done, and I understand it just as he repeated it exactly.

M. MACLENNAN—Were you at the representative meeting? A.—I was not.

Q.—You were a member of it?

A.—Yes, but not at that time.

Q.—How was that? A.—Well, I became a member since that.

12810

Q.—You were a minister? A.—An elder.

Q.—You have become a minister since then, have you?

A.—No, I have become an elder by appointment.

Q.—You have become an elder by appointment since that time? A.—Yes.

Q.—Had you seen this new discipline before that Yearly Meeting? A.—Yes.

Q.—Where?

A.—Sometime before Thomas Lloyd, a Friend from New York, brought in a lot of them and distributed them?

Q.—And you got one?

A.—I got to see one, one of my neighbors had one, and I read it.

12820

Q.—You hadn't one yourself? A.—No.

Q.—You had read it before the meeting then? A.—Yes.

Q.—Had you anything to do with bringing it up at that meeting?

A.—I was in favor of it, yes, I suppose I put in a voice.

Q.—And you gave your voice in favor of it? A.—Yes, and do now.

Q.—And you were opposed to its standing over another year for further consideration?

A.—I thought the time had fully come when it should be passed.

CHARLES J. TREFFY—Sworn for Plaintiff, testified as follows:—

Examined by Mr. CLUTE—

Q.—Were you at the Friends Yearly Meeting in '80? A.—I was.

12830

Q.—Present when the discipline passed? A.—Yes.

Q.—Did you hear here this morning the statement of the Clerk as to what took place? A.—I did.

Q.—What did you say to that? A.—I say it is correct.

Q.—When did you become a member? A.—Seven years ago.

Q.—Where do you belong to? A.—Norwich Monthly Meeting.

Q.—Then you have not had any experience in the way of doing business as to whether the majority has the right to rule or not, have you?

A.—I have had no experience prior to that time.

Q.—You have had no experience prior to that meeting? A.—No.

ELIAS ROGERS sworn for Plaintiff, testified as follows:—

12846

Examined by Mr. CLUTE.

Q.—To what subordinate Meeting of Friends do you belong? A.—Yonge St. Monthly Meeting.

Q.—You reside in Toronto? A.—Yes.

Q.—Were you present in '80 at the time the discipline was passed? A.—I was,

Q.—You have heard here the statement made by the Clerk, and two or three witnesses that followed him as to what took place?

A.—Yes.

Q.—And what do you say to that?

A.—That is correct as far as I remember, I do not remember quite all the particulars, but substantially I remember all that he stated to be correct.

MR. BETHUNE:—

Q.—Kennothy & McLean you knew? A.—Yes.

Q.—And Scott? A.—Yes.

Q.—Did you know any of the others referred to, Blackledge?

A.—Yes, I have attended all these meetings, and know them privately.

Q.—And Radcliff, do you know him? A.—No.

Q.—But those you have named you know privately and attended their meetings? A.—Yes.

Q.—Did you ever converse with them on the subject of their theological views so as to ascertain what they were?

12860

A.—To some extent. Yes.

Q.—You mean with a view to Arminianism or Calvinism?

A.—I have, all of them.

Q.—Were their views all the same with reference to that class of questions, and all those that you have mentioned were all the same, were all Arminians?

A.—Yes.

Q.—Without exception? A.—Without exception.

MR. MACLENNAN:—

How long have you been connected with the Friends? A.—From my youth.

Q.—Now in your body does the meeting rule by majority? A.—Not altogether.

12870

Q.—What then?

A.—Well, as has been stated here, age and experience is taken into consideration always.

Q.—And if there is age and experience opposed to a motion.

A.—It will have due weight, and it is generally understood it will be given due consideration by the Clerk.

Q.—What weight?

A.—Well, it depends upon his judgment, that is alway left to the Clerk.

Q.—If there is weight and experience on both sides?

A.—It is left to the Clerk.

Q.—Then really he rules the Assembly?

12880

A.—He rules, he is the presiding officer in that sense.

Q.—And can decide it which ever way he thinks fit?

A.—Yes, he makes his minute, whatever he considers the judgment of the meeting, and unless there is objection taken and the meeting agree on an alteration it stands as he makes it.

Q.—Suppose there is objection and strong opposition by persons of age and experience?

A.—If there is, I have known cases where the minute was altered.

Q.—In this case, and in your presence there was age and experience directed against the carrying of the discipline?

A.—There was no objection whatever to the minute the clerk made.

Q.—I speak of the question?

12890

A.—We were speaking of the minute a moment ago; after the minute is made, that is considered settled, unless there is objection taken.

Q.—You say it is for the clerk to settle the minute, and it is in the clerk's power to make a minute, and there is nobody can gainsay it?

A.—It is the clerk's business to ascertain what the voice of the meeting is.

Q.—You say that the clerk has the power to make the minute? A.—Certainly.

Q.—That means as he has made up his mind?

A.—Yes, what he considers to be the judgment of the meeting.

Q.—And he has ascertained the sense of the meeting?

A.—Yes, what he considers to be the sense of the meeting.

12900

Q.—What use would there be of a protest after the clerk had made his minute?

A.—He might have been mistaken.

Q.—What use would there have been in a protest after he had made his minute?

A.—There would be every use, if any one in the congregation considered that he had not made a proper minute, it would be their privilege to object and submit an alteration, and then he would alter it, he would probably ask the meeting to give their voice on the question as to whether—

Q.—There were 65 per cent. in favor, and 35 per cent. as we have heard against this discipline?

A.—Yes, I suppose about that, that is adopting it at that time.

Q.—They had so declared, being called upon to do so, hadn't they? A.—Yes.

Q.—And then the clerk having heard that and knowing what their opinions were made this 12910 minute? A.—Yes.

Q.—What use would it have been for anybody after that to declare his opposition against?

A.—If any one had considered that he hadn't made a fair minute according to the expression that had been given in the meeting, it was their privilege to have stated it.

Q.—The minute was not a proper minute, it was not saying so many for, and so many against?

A.—Just as our minutes usually are the prevailing judgment; as has been stated here already, the minutes are always considered to be in submission, anything else would be an act of insubordination.

Q.—The majority can over-ride them if the clerk so wills?

A.—We do not look at it in that way.

Q.—You are aware of the division that existed at that time among Friends?

A.—I was aware that there was some difference of views in some places, although I had not come 12920 in contact with it myself personally, in our meetings, in our local meetings everything was harmonious.

Q.—There was no division there; all harmonious? A.—Yes.

Q.—All in favor of the new development in teaching?

A.—Well, I don't know hardly what you call development, I know the things that have been spoken of here.

Q.—Don't you know there have been new developments in teaching and practice?

A.—I know them that have been spoken of here as new developments and I know that our meetings were in favor of the progress and pushing forward the work of the church.

Q.—In favor of the new development? A.—If you like to put it in that way.

Q.—That is singing and reading of scriptures in meeting? A.—Yes, members felt called upon. 12930

Q.—As has been discussed here? A.—Yes, as has been discussed.

MR. BETHUNE.—That is, I do not understand you to say that you regard these as new doctrines or anything of that kind?

A.—I never did.

Q.—It is a fresh doing of the old work, in fact of the church, as I understand it?

A.—Well, it is nothing different from what I was always taught by my mother in my youth, that we were always to obey the voice of the Spirit, as to what we considered to be the will of God.

Q.—Were both your father and mother Quakers?

A.—Yes, and my forefathers were Quakers for generations back, I do not know how far, three at least. 12940

CHARLES GIDEON BOWERMAN—Sworn for Plaintiff, testified as follows:—

By MR. BETHUNE—

Q.—You are an elder of the Society of Friends? A.—So allowed.

Q.—How long have you been elder?

A.—I never keep any dates, I suppose 7 or 8 years probably.

Q.—And how long have you been a member of the church?

A.—Over 56 years, I suppose properly speaking, from my youth up.

Q.—You were born in the church? A.—Yes.

Q.—Have you always lived at Westlake?

A.—That has always been my home, except some two years. 12950

Q.—Now various alleged unsound doctrines have been laid to your charge? A.—Yes.

Q.—You have heard the evidence given about them? A.—Yes.

Q.—Well, did you teach or preach any such unsound doctrines?

A.—I never meant to at all; sounded preposterous in my mind, and all of them as far as anything I heard, contrary to anything I ever heard, or thought, or believed, in fact I told Mrs. E. Varney six months ago, when she got out of the box, I said I never knew you thought such things about me, I never believed them in my life, and I didn't even know she thought of them.

Q.—Do you remember the particular occasions spoken of?

A.—I remember some of them, I remember distinctly of the Hixite funeral, when some one says here they took notes of what I said. 12960

Q.—That was the funeral of a member belonging to the Hixite branch?

A.—Probably it was some one leaning that way, the reason I say distinctly I remember it, is from the fact that it was not in my home and place of preaching, and would not expect to meet specially there as follows: and be heard saying much, therefore I felt pressed to say my words in as few as possible, yet knowing the disposition of the Hixites or their understanding of the Doctrine, and that some of them claimed the Bible is of no consequence whatever, and they have something in them which is sufficient and they need no Bible. I felt pressed in as few words as possible to state as strongly as I could in few words, the importance of the Bible, and that it was through the Bible that God had designed to teach the world, and the authority of the Bible I said was equal to his word spoken to us even directly, and whether from that they concluded the Bible and Spirit was one I can't say, but that 12970 was the substance of what I said on that subject.

Q.—I suppose you can't pretend to remember the exact words you used on any one occasion?

A.—No.

Q.—Have you any memory at all of any of the other occasions that have been spoken of by the various witnesses?

A.—I do, that once it was stated that I believe in not waiting on the Spirit or for the Spirit, and with the idea that:—their idea at least was contrary to mine, and I remember saying once in the beginning of the meeting with this thought, that the Spirit was with me, I said so, his presence was with me as I entered the house, and therefore in that sense I had no occasion to wait for it, but in my practicing meetings those who know something of my zeal to the cause of the Lord, and how it was 12980 manifested, I often sit—I may sit nearly through a meeting or all through it, and not say a word—would indicate that if I was not waiting for the appointment of the will of God. I desired at least that my thought was that I had no occasion to look for direction, of course I would not be as big from that time in my zeal to serve.

Q.—You do remember on one occasion being moved as you did enter the Church to speak?

A.—No, I never spoke the moment I entered the Church; after I sat a short time I made that remark, that I did not have to wait.

Q.—That however was made only in answer to the prompting of the Spirit, as I suppose?

A.—Yes, I thought it was proper, I thought it was teaching some might need.

Q.—Do you believe, or did you ever teach that you would preach without the promptings of the 12990 Spirit?

A.—Certainly not; educated as I have been among Friends from my youth up, and attending various meetings as I have of the Society; my views to-day as have been all through this difficulty the

same as it ever was in regard to the importance of depending upon the head of the Church for direction in what we do in our meetings.

Q.—Are you conscious at all yourself of any change of Doctrine on your own part ; have you changed your belief in any way—the belief in which you were brought up ?

A.—Yes, I have ; I failed to understand some of the truths of the Gospel, the teachings in our Church were quite obscure, in fact there was very little teaching in one time of my life, and through the favor of God and His providence I have been enabled to understand things now that I did not understand at one time. 13000

Q.—That I suppose is applicable to almost every belief ? A.—Yes.

Q.—Except in that way have you changed from the Doctrine or belief that you had formed in your early life ?

A.—I mean to say that I did not clearly understand Doctrine, and therefore I must change that far. I am glad to think that now I understand doctrines as I believe our forefathers did, and the Doctrines generally believed by our Church everywhere. I am very happy to think that I do.

Q.—Then have you ever been disciplined for teaching erroneous doctrines ? A.—No.

Q.—It is said that some brethren tried on one occasion to see you with a view to remonstrating with you about some alleged erroneous doctrines that you preached, do you remember what occasion that was ? 13010

A.—To go back a moment, “never was disciplined.” I remember an individual the moment I got out of the house implying I taught something not the proper but that was not the proper time to tell us he said, but except in that way as an individual I have never been brought before any meeting for any undue teachings.

Q.—Do you remember the occasion Mr. White, and Verney and Valentine coming to see you ?

A.—Yes, I remember that they called at a neighbor's house where I was, and they said they wished to see me on disciplinary matter, but what it was I never knew.

Q.—Was it ever followed up at all ?

A.—No, they never told me what they came for, no more than in the general sense that they came for some disciplinary matter, I understood, or some business or meeting commission. 13020

Q.—But you never were brought before any minister, elder or elders or Monthly Meeting for anything of that kind ?

A.—No, not for anything in regard to unsound teaching, I was never before a Monthly Meeting on any account whatever, there was same talk in our Monthly Meeting when I was present in regard to my not taking their advice, it was not advice, but that I was not to speak or preach or practice in the name of Jesus, I thought that was going beyond their jurisdiction, saying that I was not to say one word, and that was the only time I was ever complained of.

Q.—I understand you to say you have always taught the same doctrines, and preached by the founder of the Society ?

13030

A.—Yes, what I have always done.

Q.—You knew the discipline of '59 ? A.—Yes.

Q.—Have you ever taught anything contrary to the doctrines as set forth in that ?

A.—Not that I am aware of.

Q.—It is said too that you favored the singing of hymns or psalms in meeting, have you ever done that ?

A.—I simply favored the thought that we have lived to the Spirit to sing or preach, and we sing or preach, and we sing with the Spirit and understanding.

Q.—Have you ever indulged, except when you supposed you were moved by the Spirit ?

A.—No, I never had that faculty given me, I believe to sing at all.

13040

Q.—But you believe, I understand that a person may be moved by the Spirit to sing ?

A.—Certainly.

Q.—Then as to reading the Scriptures ?

A.—On the same grounds exactly, if lead by the Spirit, it is perfectly allowable, and nothing contrary to the discipline or any other discipline that I know of.

Q.—A good deal was said about practicing your singing since the separation occurred, since '81, now how often do you think singing has taken place in your meetings since the time separation occurred in the beginning of '81 ?

A.—Well, in our regular meeting held twice a week, I could speak with considerable definiteness, and I think that I stated that probably on an average there might have been some singing once out of 1305 seven or eight times during the whole time, during the whole time, but I think not so much as that.

Q.—And reading the Scriptures, how often ?

A.—Well, perhaps on the whole about the same, not oftener than once in two months have they been heard in our meetings, that I should judge from memory.

Q.—It is not the usual thing ?

A.—By no means, you understand by those remarks it can't be usual.

MR. MACLENNAN :—

When did this practice of singing in meeting first begin in Westlake ?

A.—So far as the practice goes I understand that it has always been understood, liberty ; but I do

not remember in our particular meeting any one singing further back than—may be one or two occasions—eight or ten years I think, there was one or two exceptions back of that I remember. 13060

Q.—Did it practically first begin eight or ten years ago?

A.—As far as my personal knowledge goes in our meeting.

Q.—In your recollection then going back 56 years, unless within the last eight or ten years it was not practiced?

A.—I am speaking of my particular meeting.

Q.—And how about the reading of Scriptures in meeting?

A.—That might apply in the same way.

Q.—And Revival Meetings, when did they first begin?

A.—Well, extra Revival Meetings in the sense of carrying on a series for the special purpose of reviving the work of the Lord, I think I may apply the same rule, about the same time. 13070

Q.—And the practice has been increasing during that time I believe?

A.—Yes, I am thankful it has.

Q.—With your assent and approval? A.—Most certainly, I am thankful for it.

Q.—And you promote these all you can?

A.—Why, I am glad to do everything I can to help the work of the Lord.

Q.—And how do you justify these things?

A.—I justify them in a two fold sense certainly very strong, one is I believe, it is the will of the Lord, and another is; last, I believe it is in accordance with our principles according to the practice of our forefathers. 13080

Q.—How far back?

A.—Back to the time of our forefathers, and the origin of the Society.

Q.—You mean these things have been practiced all the time?

A.—I mean to say they were practiced then.

Q.—When? A.—At the origin of our Society.

Q.—But for a long time disused? A.—I suppose they were to a great extent.

Q.—For how long?

A.—They may have been for 100 years, my information with regard to the history of our Church, we were in a sad decline, and so acknowledged by the best authorities, our journals and libraries prove it

Q.—You say it may be for 100 years? A.—Yes, I should judge so.

Q.—Or more? A.—Yes, I do not know exactly.

Q.—Is the same thing true with regard to some of the doctrines of the Society?

A.—I think some of them have been very much lost sight of for about that same time.

Q.—Illustrate that by any of the Society doctrines?

A.—I call teaching with regard to repentance, faith, and conversion and salvation through the Lord Jesus Christ was always very much more or less obscure to my mind, so that I did not understand it clearly until of late years.

Q.—Of late years then different expressions of these doctrines have been used?

A.—Clearer expressions, certainly.

Q.—And different expressions also? A.—Yes, somewhat different.

13100

Q.—And you have taken up with these revived expressions—have you? A.—Yes.

Q.—When did these revived expressions first come into your Society, about when, at Westlake, about when for the first time?

A.—Well, I think as far as that goes that Rev. C. Bowem and Joseph John Gurney, and various eminent men of our Society preached the same things in Canada in our meeting house.

Q.—When?

A.—About as long ago as I can remember almost, when I was a boy they were travelling among us.

Q.—Was Gurney here?

A.—Yes, Gurney was here at my father's house, and authorized my father to buy a college.

Q.—And he was considered as giving new expressions to various doctrines?

13110

A.—I did not understand him so at all; I understood he was considered to be a sound member of the Society preaching the gospel.

Q.—I mean expressions that have been disused for centuries?

A.—My interest in the Society and my experience in it was, that I was not prepared for those matters, and do not remember hearing any remarks on that subject, only that he was supposed to be a worthy man.

Q.—He was supposed to be giving new expressions?

A.—I do not remember, I did not hear any remark of that kind, I do not know, I do not remember.

Q.—Are you acquainted with Gurney's writings? A.—Considerable.

Q.—All his writings?

A.—No, not at all, only just to some limited extent.

Q.—Are you aware that Gurney wrote two books?

A.—No, I suppose he wrote more than two books.

Q.—On the doctrine of Friends?

A.—I am not specially informed on that subject; I have understood that he wrote different books on the subject, however, and that these are under controversy, some of them more or less, that he has written one or more books.

Q.—What controversy?

A.—There was by John Wilburn and a few of his adherents.

Q.—Whose adherents? A.—John Wilburn's.

Q.—Do you know whether Gurney wrote different views of the same subject at different times?

A.—I know that it was so alleged, I do not know that he did.

Q.—You don't know whether that is the case or not?

A.—No.

Q.—You are not acquainted with Gurney's teachings?

A.—Not so closely as that, I do not know all that he wrote.

Q.—You never studied that subject?

A.—Never did so closely, I am more interested in reading the Scriptures.

Q.—About how often do you read the Scriptures in meeting?

A.—We may miss two or three months and not read them at all, and I may read them every day, 13140 and quit for two or three times, I have no special form about it by no means.

Q.—But you practice it frequent?

A.—I have done it occasionally.

Q.—Would you say frequently?

A.—I should say not, I should say once in two or three months, but not frequently that is averaging it.

Q.—Since the last event how often have you practised it?

A.—I do not think I have read it more than three times since the last event, I do not remember that I have.

Q.—Previous to last event ?

13150

A.—I may have read them seven or eight times on an average, taking two or three years together, I never was much for that, I never felt called to it.

Q.—What difference do you make in regard to waiting for the Spirit now, and to what you did in the early part of your life ?

A.—No difference whatever. that is, what I mean to say is that waiting upon the Spirit my idea is the same now that ever it was, to look to it for direction, what to say and when to say it, my views have not changed and never did, never have been changed.

Q.—Then you don't do as was formerly done, assemble in meeting and sit in silence until the Spirit moved you ?

A.—I can't say we do the same, we aim to.

13160

Q.—Do you vary from that at any time.

A.—If we did we would depart from our principles certainly.

Q.—Do you know anybody being turned out of the Society or out of the meetings for reading Scripture in meeting at any time ?

A.—Well, I think that probably there was circumstance of that occurrence to my mind when a number of years ago our church was in such a rut. there was certain woman, a minister, peradventure in another meeting from me, felt it right to read a Bible quite frequently.

Mr. BETHUNE—Do you know that of your own knowledge ?

A.—I do not live in the meeting, of course, I know it quite clear from history and current knowledge.

13170

Mr. MACLENNAN.—What was it ?

A.—She read the Bible frequently, perhaps she read it every time, I would not say.

Q.—What was the result ?

A.—The result was that they considered it was out of order, and I think she persisted in it, and I think she was disowned for it, I would not say positively she was disowned for that.

Q.—When was that ?

A.—That may have been 200 years ago, whether she professed to wait for the moving Spirit I could not say, perhaps she did, probably she did in my own estimation.

Q.—Do you consider that you got any new light at the time McLéan was here ?

A.—As a preacher sent from God he did help me on in the right way of the Lord, the truth to 1318 some little degree.

Q.—Did you get any of these ideas from him that you have been telling us namely, that the church had been dead as to some of the doctrines for 100 years?

A.—No, I do not know as I was specially awakened, particularly in that direction by him.

Q.—What did you make of this passage from Barclay, “we meet not to read the Scriptures, but to wait on the Lord and be taught of him”?

A.—He might as easily have said, “we meet not to preach” just as easily and just as correctly, we meet not to preach, we meet to worship.

Q.—He says, “we meet not to read the Scriptures, but to wait on the Lord”?

A.—In the same sense we meet not for any special outward act.

13190

Q.—Now for a long time that was construed to mean that the reading of the Scriptures was not allowed in the meeting?

A.—Oh, many say, I do not suppose it was.

Q.—Was that not practically the way in which it was interpreted?

A.—Not that I am aware of, I should suppose not.

Q.—I think you told me that fact, that until within the last eight or ten years there was practically no reading of Scriptures?

A.—But I object to that being the ground of the practice; I object to that, having anything to do with the practice.

Q.—You say about waiting on the Lord, you may have used a certain expressions, what expression do you say you may have used?

13200

A.—That I did not have to wait for the Spirit because the Spirit was present with me.

Q.—And you used that expression? A.—Something to that effect.

Q.—Present with you all the time?

A.—As I entered the house it was with me then, and I praise the Lord it has been my privilege to be with me always.

Q.—And you stated you did not have to wait for the Lord? A.—I did in that sense.

Q.—Did you say also at any time, that you would read the Scriptures just as often as you pleased?

A.—I remember no such occurrence.

1321

Q.—Will you say you did not?

A.—I believe I did not, it would be contrary to my principles and feelings that I ever had.

Q.—And that no word or power would prevent you from reading the Scriptures just as often as you pleased ?

A.—If I thought it was the will of the Lord, I might have said to that effect.

Q.—Did you say that ?

A.—I believe I never did without that limitation, I am confident I didn't.

Q.—What limitation ? A.—If it was the will of God I would.

Q.—As often as you pleased ? A.—As often as God pleased in my protection.

Q.—You remember then some discussion on that subject of reading the Scriptures in meeting ? 13220

A.—I remember discussing it ; I do not remember my ever saying anything in that direction, I may have.

Q.—That you would approve of reading the Scriptures every day in meeting ?

A.—If the Lord so directed.

Q.—You would take a book there and read the Scriptures every day ?

A.—No objection to having the Bible with me anywhere.

Q.—And the others who are associated with you in this case are of your way of thinking on this subject, 'are they ?

A.—As far as I know—as far as I know I hope they are anyway, and I trust they are.

Q.—Are you aware, or did you become aware in any way, what it was that brother Valentine 13230 and brother White. came to see you about ?

A.—I never until I heard it here in court the other day. No ; I never knew what they came for.

Q.—You never knew that your preaching was the subject of consideration ?

A.—I understood here in court.

Q.—Did you ever know that the subject of your preaching was under consideration of the Elders ?

A.—I never knew it was.

Q.—You never heard of it ? A.—No, I am speaking to the best of my recollection.

Q.—Have you yourself entered these revival meetings ? A.—Certainly. 1324

Q.—Protracted meetings ? A.—Yes.

Q.—And taken part in them ? A.—Yes.

Q.—And encouraged the other members to do the same ? A.—I would be glad to.

MR. BETHUNE :

What Monthly Meeting did you hear that this lady had been disowned for persisting in reading the Bible ?

A.—The lady I refer to was in Cold Creek Meeting, within the limit of that Monthly Meeting.

Q.—And you say that she may have been disowned for persisting in the reading of them without the moving of the Spirit ?

A.—It may have been, I can't say what she was disowned for, I remember that was one thing under consideration. 13250

Q.—You said that John Joseph Gurney had been at your father's house, and you remember his being there ? A.—Yes.

Q.—And he authorized your father to buy a college ?

A.—Yes, we had none at the time, but it was the introduction of one at West Lake.

Q.—And he furnished funds to pay for it, did he ? A.—Yes, he agreed to.

Q.—Now then you sold a farm that had been got in that way, and with that founded a college up at Pickering ?

A.—Yes, It might not be wrong to state that he did not propose to give the college out and out to the Friends, he instructed father to buy it with the understanding that he would pay one half, and these Friends the other half, he would pay it over to them. 13260

Q.—Then you say in answer to my learned friend, Mr. Maclellan, or rather assenting to what he said, that some of these early doctrines and practices were disused for perhaps 300 years. do you mean that they were only disused ?

A.—No, I do not mean to say that, I said they were more or less obscure, but that they were used I had no doubt that they preached them and saw them in the same color as I do.

The above and preceding pages contains all the evidence adduced at trial herein.

JAS. T. PARKS,

Stonegrapher. 1327

Toronto, 19th March, 1884.

IN THE
COURT OF APPEAL.

Appeal from the Chancery Division of the High Court of Justice.

BETWEEN

JOHN T. DORLAND and others,
PLAINTIFFS. (*Appellants.*)

AND

GILBERT JONES, and others, DEFENDANTS, (*Respondents.*)

APPEAL BOOK.

VOL. II.

CLUTE & WILLIAMS,
SOLICITORS FOR APPELLANTS.

ALLISON & ALCORN,
SOLICITORS FOR RESPONDENTS.

BELLEVILLE:

PRINTED AT THE ONTARIO STEAM PRINTING ESTABLISHMENT.

1884.

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IN THE HIGH COURT OF JUSTICE, }
 CHANCERY DIVISION.

DORLAND vs. JONES.

PICTON, 15th January, 1883.

Cross-examination of John T. Dorland and others upon affidavits.

Present,—Mr. Clute for Plaintiffs, and Mr. Allison, Q.C., and Mr. Alcorn for Defendants.

JOHN T. DORLAND affirmed—I am one of the plaintiffs in this action, my co-plaintiffs are Stephen W. White, Anthony Haight and Anthony Terrill Haight. Anthony Harght was not consulted, I think in the first place, about being a party to the suit; I don't know that he gave his consent at the first to the commencement of the proceedings in his name; afterwards he told me that 13280 he was not going to consent; that he objected. I claim to be one of the Westlake Monthly Meeting of Friends; those who belong to the meeting are the members of it; I know that there are two bodies claiming to be the Westlake Monthly Meeting of Friends; we claim to be the Orthodox Body; I have heard that we have been called Progressions, New Lights, Fast Friends and New Quakers; we designate the other body as Separatists.

I am aware that these two bodies did hold separate Monthly Meetings. This meeting house at Bloomfield has been one of the places of meeting of both bodies; I can't answer when the difficulties first arose between the two bodies—or which resulted in the formation of two separate bodies; I know of no fact that took place in any Monthly Meeting, that resulted in a separation; I don't know of anything that occurred at any meeting for worship which resulted in this separation; I know of no 13290 dissention upon any matters of Church Government, which resulted in this effect; I have heard of such things, I know of nothing in any of the meetings which should have led to the separation; I know of nothing in the church that did produce that effect; I remember when the discipline was adopted at the Quarterly Meeting, when some of the members got up and said they would not agree to it; I can't give the date of this meeting. There were some dissentients to the adoption of this discipline. It was not unanimous. The Yearly Meeting had adopted it before, and it came down to be adopted by the Quarterly Meeting. Extract "A" now produced is the published minutes, I believe, of the Canada Yearly Meeting of Friends in 1879; I was not at the meeting; I heard it was at this meeting that this new discipline was passed.

It was at this meeting I understood referred to the Representative Meeting the question of revising 13300 the discipline, and I believe the Woman's Meeting agreed to the resolution. I don't know what Ex. 'A' contains except what has been read to me, and I don't know what it contains about the adoption of the discipline, except what has just been read to me. I was not at the Yearly Meeting of '80; I should say Ex. "B" now produced is the printed minutes of that year. On page seventeen there appears to be a report of the committee appointed the preceeding year in which they say they have no report to offer. I notice on page sixteen a resolution appointing the day when the new discipline should come into force is adopted in previous minutes. I don't know and can't say at what meeting before this, a new discipline was adopted; I can't point out any sub-meeting at which such a resolution was passed.

I have the records of the Westlake Monthly from '28 to about '77; I can't say whether the 13310

the records contain the adoption of the new discipline ; as a member of the meeting ; I don't know what was done adopting the new discipline ; I don't know of anything definite being done ; this was before the separation ; I can't give the date up to which we all met together ; I should think up to about Feb. '81. Since this I believe the other body have held their meetings separately.

I heard from outside talk that at a meeting of Worship I believe two or three of the Friends agreed to allow the others (at the request of two or three) to use the meeting-house for separate meetings. I did not understand that there was any resolution. I did understand that after consultation all the Friends present consented to the Separate Meetings for a few months or something of that sort.

The old discipline of 59 is entirely superseded by that adopted in June '80. We don't recognize the old discipline any longer. I believe the old party what we call the Separatists pretend to adhere 13320 to the old discipline.

I have understood that a separation has occurred in the Pelham Monthly Meeting on account of the change in discipline ; and I understood that at the Wellington Preparation Meeting the meeting house has been locked against Eliza Varney, whom we do not consider a member of our Society because she has gone contrary to our discipline and because she did not act up to the discipline she professed. She was at one time a minister of the West Lake Monthly Meeting ; she was when I joined it some 15 years ago ; we acknowledged her as such up to the time we say she separated herself from us ; she was an active member of the West Lake Monthly Meeting. I believe the Meeting was also closed against William Garratt ; he had been a life-long member of the Society of Friends. I have understood that several were excluded and that they are holding separate meetings some where else ; I read Friends' 13330 Review and I have heard that similar separations have taken place in the Yearly Meetings of Iowa and Kansas and in the Western Yearly Meeting ; I understand that the body we call the Separatists are in the minority in all the Monthly and other meetings from which they have been excluded ; the Separatists say that the separation has occurred a differences in doctrine and practice.

I never heard any differences expressed in our own Monthly Meeting as to difference in doctrine and practice, I have not heard anyone complain at any meeting I have been at either of worship or business meetings of the practices.

I know of no cause or causes which led to the separation ; except jealousy no difference in doctrine or practices in my opinion had any thing to do with it ; I have been a pretty general attendant at these meetings, I don't know the cause of the difference in other monthly meetings. 133

We disowned all those whom we did in consequence of their non-attendance and because they did not live up to the discipline we had adopted. I mean the discipline adopted in 80. Some of them said I understood that they did not wish to belong to our meeting ; I did not hear any of them say so myself I presume it is those who adhere to the discipline and doctrine of the Society who are the members.

I have never heard that previous to the adoption of the new discipline some of the Friends objected to or complained of Doctrines preached by Minister from a distance. I have heard that they complained of new practises. The complaints were by those whom we call Separatists. The practices were new. I have heard that complaints were made, but none were brought up in any Business Meeting



that I know of. I am aware that singing has taken place in the Wetlake Meeting prior to the Separation. I don't know that this was one of the causes of complaint. 13350

I never heard singing in our meeting until about the time of the separation. I am aware that those whom we call Separatists objected to this practice. I never knew of the Scriptures being read in the meeting until some five or six years ago. I am not sure that this was one of the grounds of dissatisfaction of the Separatists. We advocate still as was always done, that no one should speak or exhort until the Spirit moved them. We do not hold now that it is now necessary to wait until the Spirit moves them.

Our party has not made any alteration in this respect. I believe I speak in this respect for the whole meeting.

There have been Revival Meetings held in our meeting of late. I heard of such meetings being held in other places. I think Elder Scott was the first who introduced them, and it was long before the separation took place. He came well recommended. He was here some years before I heard a dissentient voice against him. At the meeting from which he came, I presume our party has the ascendancy and possibly had when he came. I know that there are dissensions in the New York Meetings. I believe in all Churches there are differences of opinion. I don't think the dissensions in New York are from the same cause as what occurred in our meeting. 13360

We are in union with what we call the Orthodox part of the Iowa and Kansas Meetings, but not in union or sympathy with those parts of them whom we call Separatists. I am aware that there were rewards before before twenty-eight of the Westlake Meeting, but where they are I don't know. I have nothing which shows the appointment of the Trustees named in the deed of 14th May, '21, and I don't think there is any such record in the possession of any of our members; I never saw any. 13370

On the 20th April '37, William Garrett was appointed Trustee in the room, and stead of Gilbert Dorland, deceased.

On the 16th September, '58, George Lear was appointed trustee to succeed Jonathan Clark, deceased. On the 19th March, '63, James McTaggart, Reuben Vennitgea, Samuel Bouested, Edward Cronk, Job Elsworte, William Valentine and Vincent Bowerman were appointed Trustees as successors to those theretofore appointed. No cause is assigned for the appointment and I don't know the cause.

A member of the new trustees lives at Cole Creek and it may be that this appointment was made in consequence of the building of a new meeting house and the deeding of it to the Monthly Meeting—I don't know anything of it of my own knowledge. 13380

On the 21st October, '80, Anthony Haight, John T. Dorland, Stephen W. White and Anthony T. Haight were appointed Trustees in succession to the old ones—who are recited as being old, infirm and otherwise—power in any three to transact any business the Trustees required. The new discipline was passed and adopted at the Yearly Meeting about the 28th June, '80.

It would have to pass the Quarterly Meeting before the adoption by the Monthly Meeting. The adoption of the new discipline by the Monthly Meeting appears to have been on the 17th Feb., '81.

Of the Trustees appointed 19th March, '63, James McTaggart is dead. Reuben Vermilyea, I



believe is alive ; I don't know how old he is ; Samuel Bonesteel lives in Sidney, and is about 55. He is a healthy strong man. I believe Elward Cronk lives in Hallowell, I should think he is over 70 and infirm. Job Ellsworth is dead. William Valentine is alive. Vincent Bowerman is alive, but very 13390 infirm.

Valentine was disowned in 1879, and reinstated afterwards. The Quarterly Meeting records will show the date of his reinstatement. He was reinstated on some technical grounds. At the time of the last appointment of Trustees in '80, all the old Trustees were living but two. Bonesteel was not a member of our Monthly Meeting at the time of the last appointment. We wanted the estate vested in them belonging to our Monthly Meeting—we did not want him Trustee any longer.

I can't tell for certain what necessitated the superseding of Valentine. He was not in good standing with our party.

Bowerman was superseded because he was old and infirm. The only reason, I suppose Vermilyea was removed was because he was a member of another Monthly Meeting. I was present when the 13400 new resolution was passed. It was brought in by the clerk, Anthony Haight.

The first I knew of the new appointment was some years before the appointments when some question arose as to the insurance of the meeting house ; Valentine recommended the appointment of the new Trustees I heard nothing of it afterwards till the meeting at which the new Trustees were appointed ; Anthony Haight brought in the minutes ; it was not discussed before this as to the appointments of these Trustees, but it was spoken of several times before generally as to the appointment of new Trustees.

There was no absolute division at this time ; there were no two parties in the Monthly Meeting at this time as to doctrine and practices. There was some dissension ; certain persons dissented not over two ; all these new trustees belong to our party now. None of these belonged to the party whom I call 13410 Separatists.

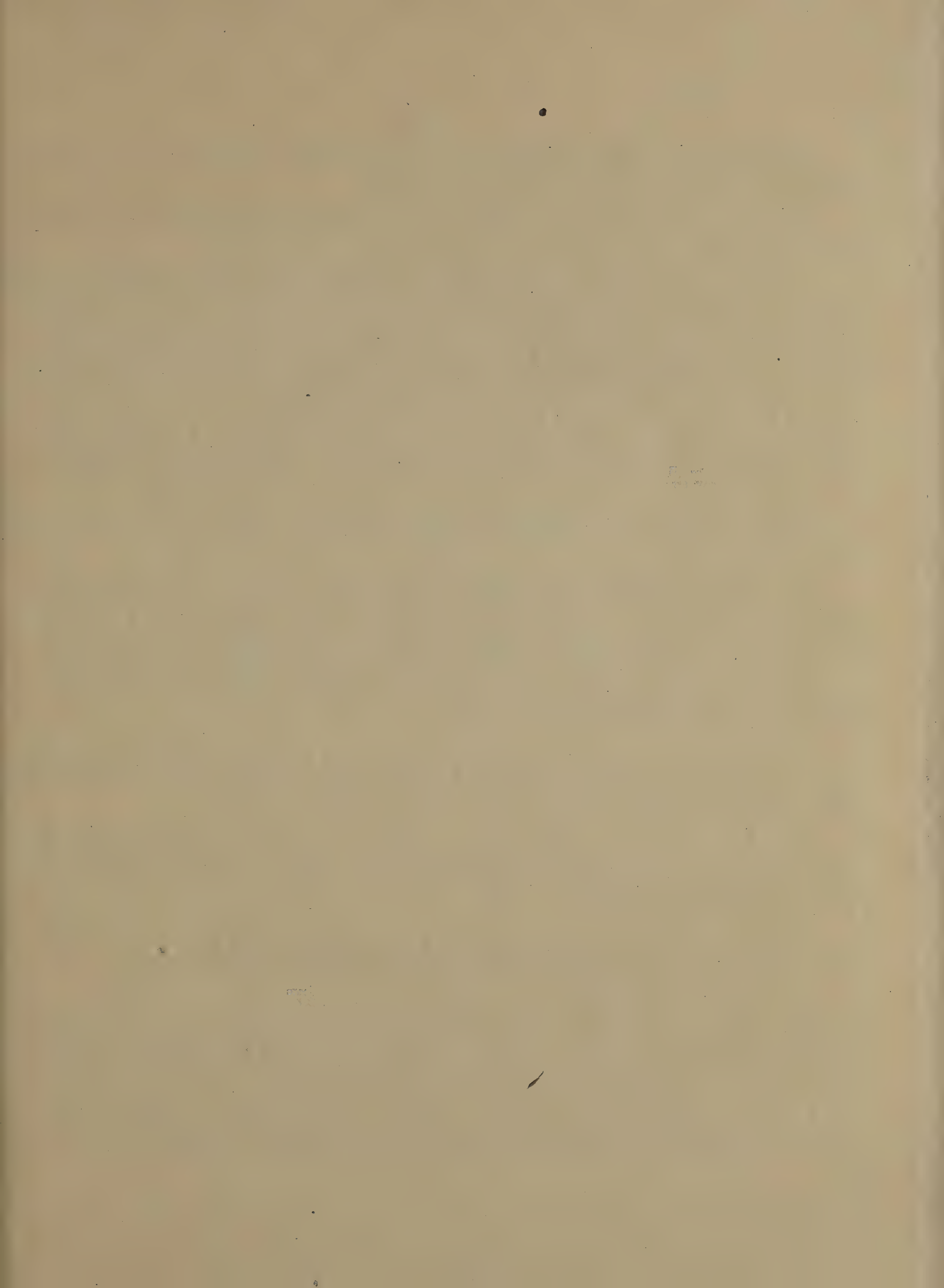
The book now produced marked Ex. "C," is the New York discipline of '59. We were acting under this discipline when the new Trustees were appointed.

Ex. "D" is a printed copy of our new discipline. The clause in both disciplines as to the appointment of Trustees is the same ; I don't recollect that anything was said as to the necessity of the appointment of the new Trustee except what Anthony Haight said, that he thought the time had arrived when a new appointment was necessary.

It is understood that all resolutions or anything introduced should be unanimous in meeting of Friends ; it would be the rule that when any influential member objected, the matter would be laid over as a matter of courtesy. 1342

The Clerk takes the sense of the majority of the meeting and if in favor of the matter introduced it was entered as passed. I don't know of anyone objecting to the appointment of the new Trustees when it was introduced.

The new Trustees have not had occasion to do anything since the appointment except lock the dissentients out. This was done under their authority.



The buildings mentioned in my affidavit were put up a good many years ago, and before I became a member long before any dissension occurred in the meeting.

Up to the time the dissentients were locked out, they continued to use the building; but at different times and houses from our meetings.

The Separatists did not put our party out, but they disturbed our services. I heard of one 13430 occasion that they disturbed our meeting by appointing a Meeting at the same time. We have been disturbed in our possession by what occurred on the 24th, 27th and 31st Dec. On none of these occasions was I present. I consented to the closing of the meeting-house. I don't know who were the instigators of it. The request of the Preparative Bloomfield Meeting came to the Monthly Meeting to consider the propriety of allowing the Separatists the use of the meeting-house; I was one of the Monthly Meeting; This was at our Monthly Meeting; I understood the Separatists proposed to hold a Monthly Meeting, and I believe they claim that they are the Westlake Meeting; it was closed against them because they did not attend our meetings, and were not in unity with our meetings; we were not in unity with the Monthly Meetings they were holding or in unity with them at all.

If we had not locked up the meeting-house it would not have been broken up; I have no doubt if 13440 we had let it go as it was, they would have been willing to have kept what they had.

What I mean in my affidavit when I say that certain parties seceded, is that the secession consisted in leaving us and having a distinct Meeting contrary to our practice. They do not hold their meetings in any other place to my knowledge at Bloomfield, but in this meeting-house. I can't say that they have any change of Doctrine, but they went contrary to our practice in going away and holding meetings by themselves, and at other places. They are a distinct Society in consequence of going away and holding their meetings in another house without authority. They did not go away to another house I believe until they were locked out.

I never heard it claimed by the Separatists that they wished or desired to put us out and hold exclusive control of the meeting-house. I don't know what they claimed or desired. From their 13450 action I should suppose they wanted it for a cock fight or something of that sort.

In the 9th paragraph of my affidavit—when I say that they claimed to hold meetings in the meeting house, in question at other and different days and hours than were appointed by the Westlake Monthly Meeting—I mean that they claimed the right to hold such meetings at times different from those appointed by our Monthly Meeting.

Our party does not advocate the payment of salary to ministers—my son does not receive a salary at Brooklyn—nor has he made any arrangement to go there to preach for money.

I was at the Monthly Meeting when the resolution was passed to close the meeting house. I think there might have been one or two dissenting when it was first introduced. The resolution correctly expressed what took place. It was at our Monthly Meeting on 21st December the Separatists 13460 had no voice in that matter. Anthony T. Haight and Stephen W. White were present at this meeting. Anthony Haight was not there I think. I never consulted him about the resolution before it was framed. He has had no voice in the matter, so far as I know. Robert H. Saylor, William B. Saylor and John H. Cook are members of the Bloomfield Preparative from which came the request to

close the house. The authority the Trustees gave is included in the resolution of the monthly meeting. It was not the Trustees who gave the authority, but the Monthly Meeting. Our party held the Yearly Canada Meeting of '81, at Norwich in the County of Oxford.

It had always been held before that at Pickering in the County of Ontario, and has since that. I understand the other party held their Yearly Meeting for that year at Pickering

Extract "E" is the printed minutes of the first Canada Yearly in '67. By it the Yearly Meeting 13470 is established and opened at Pickering. I think the meeting was adjourned in '80, to meet at Norwich in '81. I suppose it was done on the ground of convenience to the Western Friends. I understand the Yearly Meeting has the authority to appoint its next meeting wherever they may decide to hold it. I don't know on what terms the meeting house at Pickering is held.

Our party was I think in the majority in our Monthly Meeting before the separation. The other party contained old Friends and respectable members of the Society. Johnson Brewer, Levi Varney, Mrs. Varney, Mrs. Branscombe, and Mrs. Valentine, are old friends and respectable members of the community. Our party has disowned most of them whom we call Separatists. I can't say whether notice of disownment was sent them or not. They were notified in some way. They were disowned under the new discipline 13480

A resolution passed 17th Nov. '81, relieves the parties therein mentioned of membership. They are all members I believe of what I call the Separatist party. This is the first resolution I find in connection with it. It was done I dare say under the authority of the Yearly Meeting held at Norwich. I was not at this Yearly Meeting; I don't know what was done at that meeting, except what appears in the minutes. I never heard of a Yearly Meeting before giving authority to a Monthly Meeting, to disown members without disciplinary labor, except as laid down in the Discipline.

To the best of my belief the Yearly Meeting has power in a particular case to alter the description. I don't know that there is anything in the Discipline giving the Yearly Meeting authority to do so. They were disowned under the authority of the Yearly Meeting, and not in the manner prescribed by the Discipline. 13490

I did not personally take any steps to confer with these parties to get the matter settled amicably if possible. A committee was appointed and it was understood that they would consult with them, and see what could be done. The committee reported on the 21st Dec. '82. The appointment of the committee appears on the minutes of the 16th Nov. We did not consider this a matter coming under our Discipline, because we did not consider them members of our Society. If they had been we would have been obliged according to the Discipline to meet with them, and kindly advise with them and endeavor to settle the matter other than by force.

In explanation to MR. CLUTE :-

I have resided at Wellington in this County for a great many years, about seven miles from the Bloomfield Meeting-house. The Westlake Monthly Meeting is held four times a year at Wellington, 13500 and eight times at Bloomfield

The Westlake Monthly Meeting was in existence to my earliest recollection. The present ar-

range-ment as to holding the meetings has been in existence for a good many years before '65. A Monthly Meeting is made up of certain preparative meetings of these at Wellington and Bloomfield. The meetings at Bloomfield have been held in the building on these premises since it was first held there, or as long as I can remember. The building has been built over or repaired. The Monthly Meeting is now held at the hour of 10—and has for some years. The Preparative Meeting is held at the same time—before this all our meetings, either for worship or business were held at 11. This arrangement of holding the meetings at 10 has been acquiesced in from the time of the change up to this time. The discipline requires two or more Monthly Meetings to constitute a Quarterly Meeting. 13510

I am not aware that there were two Monthly Meetings held at the time of the separation from which the Separatists, and held a Quarterly Meeting.

According to both the old and new discipline no Quarterly Meeting could be set up or discontinued but by a Yearly Meeting, and no Monthly Meeting but by the Quarterly, and no preparative meeting or meeting for worship, but by the Monthly, with the approbation of the Quarterly. All the subordinate meetings are amountable from one up to the other to the Yearly. [See page 29 of the Old and New Discipline.]

The Preparative Meetings of the Separatists have not been set up by one Monthly Meeting. Our Westlake Quarterly or four months meeting does not recognize the Separatists Monthly Meeting. Nor are their meetings recognized by our Canada yearly meeting. 13520

The Orthodox Quakers or Friends are one body throughout the world. The union between the yearly bodies is maintained by epistolary correspondence. Our Canada yearly meeting has been, and is in correspondence with the yearly bodies in London, Dublin, New York, North Carolina, Baltimore, New England, Ohio, Indiana, Iowa, Western Kansas. These represent the main bodies of the English speaking Quakers or Friends throughout the world.

Extract "E" is the printed minutes of our Canada Yearly Meeting for '82, which shews the correspondence from these various bodies. Our Yearly body is recognized by these different bodies and we recognize them. The same correspondence appears in the minutes of all prior years, at least of those that were in existence. To the best of my knowledge the Separatists are not in union and correspondence with these other bodies; I am quite certain that the bodies called the Western, Iowa 13530 and Kansas Yearly Meetings referred to as in correspondence with the Separatists' Yearly Meeting are not recognized by the Yearly Meetings of these places with whom we are in correspondence or by the London, Dublin and New York Yearly Meetings. I don't know that the Separatists' Yearly Meeting sent any correspondence to London or New York; I don't find any such reference in their minutes. The organizations that we are in correspondence with are the same as were in existence before the separation here. The usual cause of business is to mention in the minutes of Yearly Meetings the correspondence either from or to the other yearly bodies.

I was not present at the Yearly Meeting of '78. From the minutes of that year it appears that action was taken that resulted in the disownment of certain members of the Pelham Quarterly Meeting.

From the printed minutes of the Separatist Yearly Meeting of '81 these members were reinstated 13550

by that meeting. They could not legally send these parties as delegates to a Yearly Meeting until their expulsion was rescinded. That expulsion was not to my knowledge rescinded by the Yearly Meeting that had made the expulsion.

In 1880 the Yearly Meeting was made up of the following Quarterly Meetings, Westlake, Yonge Street, and Pelham. In 1881 the Yearly Meeting held at Norwich was made up of the same Quarterly Meetings, and in 1882 the same. The Separatists' Yearly Meeting in 1881 or the minutes of it shew a report from only West Lake Quarterly or four months Meeting if they were the regular Yearly Meeting according to all discipline it should have been made up of the other Quarterly Meetings of George Street and Pelham as well.

These three Quarterly Meetings of Westlake, Yonge Street and Pelham have included all the 13560 Orthodox Quakers or Friends in Canada so far as I know, and they now constitute what I contend is the legal Yearly meeting; and that Yearly Meeting recognizes and is recognized by what we consider the true Westlake Quarterly Meeting.

Our Orthodox Yearly Meeting does not recognize the Quarterly Meeting, claimed to have been set up by the Separatists here; nor are they recognized by our Quarterly or four Months Meeting.

According to the minutes it would appear that the Separatists Yearly Meeting is made up of the Separatists from one Quarterly or four Months Meeting, and from these from the Pelham Meeting.

I don't know of my own knowledge how many the Westlake Quarterly Meeting numbered before the separation.

The Discipline of the Society of Friends has since the original organization, been revised at different 13570 times, from time to time as the circumstances of the Society required.

The discipline which had been used here and in New York was revised by New York in 1877. The description which had been used and adopted by New York in '77 was adopted here at the Yearly Meeting of '80.

Before the formation here of the Canada Yearly Meeting in '67, we had one half Yearly Meetings to which we sent our Quarterly Meetings.

These half Yearly Meetings sent their delegates to the New York Yearly Meeting; up to the time of the formation of the Canada Yearly Meeting the Friends in Canada used the discipline of the New York Meeting, and when they formed the Yearly Meeting here they adopted the New York discipline. In adopting the New York discipline in '80, we are still keeping ourselves in harmony with the body 13580 that had set us off and with whom we are in union.

Extract "G" is an extract of the formation of the various meetings in Canada; it was printed under the direction of the Annual Meeting, and is recognized as authority amongst the Society of Friends.

I have examined the old Discipline and the new, and I can't find any difference of any consequence in them; the fundamental doctrines are the same.

I am not aware that anything has been done in the Monthly Meeting here contrary to the discipline.

The disownment here did not take place until they had assumed to set up a Monthly, Quarterly and Yearly Meeting of their own, and after they refused or did not attend our meetings. If they had 13590 there would not have been any such action taken.

It was the practice of the Ancient Friends to have Scripture read in the meetings. George Fox is recognized as the Founder of the Society of Friends.

Ex. "H" is the 1st vol. of the journals of George Fox. These are recognized as the Foundation of the Society.

Ex. "I" is the 2nd vol. of the same work.

To Mr. ALCORN—

I have heard the Defendants and these with them talked of as his old Friends. I don't think their monthly, quarterly or yearly meetings recognize our meetings.

I am not prepared to say that Westlake, Coboconk, Leeds and Kingston monthly meetings do not 13600 attend and recognize the Defendants quarterly meetings.

I am not aware that there are not dissensions in the Quarterly Meetings of London, Dublin and New York, and the other yearly meetings I have mentioned.

I believe in Western Iowa and Kansas there has been actual separation, and that we are in correspondence with only one branch of them. I am not aware that there are such separations in the New York yearly meeting. I don't know what the cause of the separation in these other places has been.

I am not sure, but I think it is the usage that the yearly meeting only takes up what is sent to it from the quarterly meetings. There is nothing in the minutes of '78, referring to the expulsion of members of the Pelham Quarterly. On page four it appears two reports were received from that 13610 Quarterly—one of which only was subsequently received and confirmed.

It appears from the Defendants' Yearly Meeting of '81, that there was two Quarterly Meetings represented at that meeting.

I should conclude from the reports and from my knowledge of what is taking place among the Society that there are some dissensions in Pelham and Yonge Street Quarterly. The other report from Pelham was not received in '78, because they were in session.

We received the report of the body that was in accord with us, and not that which was in accord with the other body. Our party at that time was in the ascendancy in numbers. If the other party had been in the ascendancy the other report would, no doubt have been received. I was at one time in accord with the Defendants' party, but I was not in accord particularly with either party before the 13620 separation.

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to the 1st of January 1911
the 1st of January 1912
the 1st of January 1913

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The Defendants' party some of them have departed from the original doctrines or ancient usages, but they have not as a party departed from them. I can't say for certain anything in which they do not live up to the ancient usages and doctrines.

They have not lived up to ancient Friends' practices in breaking open the meeting house, but this was after we had locked them out. They also departed from our usages in setting up their own meetings. I can't say in any other way that they have departed from the Ancient Friends' usages as a body; I think each Yearly Meeting is independent in the Discipline it adopts, and Canada was in no way bound to adopt the New York Discipline; I suppose between '77 and '80, Canada and New York had not the same Discipline.

13630

The one-half Yearly Meetings had ceased for some years before the Canada Yearly Meetings were set up; it may have been for fifteen years.

Our Yearly Meeting does not correspond with the Philadelphia Yearly Meeting I think.

I don't know of anything in either the old or new Discipline prescribes or proscribes, singing or reading Scriptures; I never knew of either being practised in the Westlake meeting until within the last few years. I never knew of its being done here before; I have attended these meetings for I should say sixty years. The Discipline directs the careful readings of Scriptures at home, but does not at the meetings, but it does not forbid it.

A Preparative Meeting can only be set up by a Monthly Meeting. I never heard of the Defendants' setting up any meeting in that way. I believe they have continued to hold their Preparative and Monthly Meetings without any setting up—know they do not hold them according to any Discipline.

13640

The meetings we hold are not set up as a district and separate set of meetings from those held by the Defendants. We hold ours as we think we have the right to under the old arrangement.

I can't find anything in the minutes of the Yearly Meetings from which it appears that a change in Discipline was sent up from a Quarterly Meeting.

Enlarged till to-morrow, nine A. M.

PICTON, January 16th.

Present as before.

Mr. Dorland not being in attendance by consent, his further examination to be taken when he comes.

13650

ROBERT H. SAYLOR, affirmed.

I am one of the Plaintiffs. I have been a member of the Friends for some twenty years. I have attended the meetings ever since I was a boy; my mother was a Friend. I believe I have an intimate acquaintance with the rules and proceedings of Friends' Meetings and of Friends' Doctrines, and have heard a good deal of Friend's literature. I have travelled a little as a member of the Society. I am an Elder; I have travelled since the separation; not before. I have travelled since and before in the interests of the Church. I did travel at the instance and in the interest of the Church to collect funds.

I was liberated by the Annual Meeting to do so, I did not receive a minute. A minute is only necessary to travel for religious exercises. The Bloomfield Preparative Meeting is the one I have belonged to and where I have attended services.

13660

There have been different dissensions in the Bloomfield Preparative. The last dissension arose when they separated themselves from us. They sat through our Preparative Meeting until the business was closed.

Eliza Varney afterward came into our meeting and wanted to know what time they might have a meeting in our meeting-house on the first day that would not interfere with our meetings, appointed. There was some little talk about it. I did not think we had any power to allow them any such privilege. I was acting as Clerk of the meeting. Some of the meeting spoke of having to pay rent; up to this time there had been no complaint or dissatisfaction. There had been none such time.

I had heard before this of some dissensions and complaints; I don't know the cause of the dissension or disunion. I never heard any cause before this suit assigned for the separation. I never before the separation heard any complaint of any innovations being introduced into this meeting house. I might have heard people talk of dissension on account of new Doctrines being introduced into the meeting-house. I don't know that I heard any of the Defendants say so. I never heard the introduction of singing, Scripture, reading, or the penitent bench complained of, nor protracted meetings. I call these meetings a series of meetings. Mr. McLean held such a series. He held them in the afternoon and evening both. I never knew of the Friends being a penitent or mourners' bench. I have not been at a Methodist Revival Meeting; there was not much difference between these meetings held by Mr. McLean and the Methodist Revival Meeting.

13670

I think, I had seen such practices in a Friends meeting house before—in this same meeting house where Elder Scott has here. McLean was a colored Friend. Scott held a series of meetings. Both Scott and McLean were from the United States. I might have heard them called New Lights. I don't doubt, but that I did. I never knew singing to be introduced or practised in the Bloomfield meeting house. I have heard singing there, if that is what you call introducing it. The first singing I know of was when Lida Roenigh was here. She was here about the same time as McLean and Scott. She came with her credentials and was accepted. I first heard singing in the Westlake meeting house about 16 or 17 years ago—by a man, by the name of Palmer and his wife. I don't think they were Friends. They may have been Methodists.

13680

I don't know that I heard singing in the Westlake meetings for worship or doctrine before Elder Scott came here. I can't be sure that I heard the Scriptures read at such meetings before that—I won't say that I did or did not—I can't recollect dates. I have no recollection of ever hearing it before that. I have never heard it practised in this meeting house that the Spirit of God had nothing to do with a sinner until after he was converted.

13690

I never heard it talked or preached that Faith is a faculty of the mind to be exercised at will in accepting salvation. The first I knew of any dissensions among the members of this meeting house as to the doctrine taught or preached there was when I saw it in print in the printed minutes of the Yearly Meeting of the Defendants' party for '81, I refer to what is contained on pages 9 and 10, printed minutes marked Ex. "Q." The dissension therein referred to refer to the whole Society of Friends, not particularly to the Westlake meeting. I suppose they mean all who don't think as they do.

I did understand before the separation that differences had arisen among the Friends at Norwich, but whether upon doctrine or practice, or what I don't know.

13700

I don't know what the difference was, I can't tell whether they had reference to matters of doctrine or not. I was one of the parties appointed to investigate the difficulty at Pelham by the annual meeting.

I did investigate the matter before us which was two sets of minutes. The point to decide was which of the minutes should be received. We accepted the minutes signed by Harris. We believed him to be the proper person appointed by the proper meeting from the chain of records. They both claimed that they had the right to represent the Pelham Quarterly Meeting, the same as we have both claimed I suppose to represent the Westlake Meeting. I don't know anything about the cause of their split, and I don't know of any reason why the split occurred here.

We received the report of the party in accord with our own views; we could only receive one report. We did not go into the cause which led to the two reports.

I know only by hearsay that similar dissensions and divisions have occurred in other bodies of Friends. I read some Friends' literature, I heard very little about it in the journal I read. I hear that there are dissensions among the New York Friends. Have not heard of any in London or Ireland. I have heard of such in the Western, Kansas and Iowa Yearly Meetings. Have not heard of such in New England. Have not seen it in print or heard of it nor in Baltimore either. Have heard of it in the Ohio Yearly Meetings. Have heard of the White Lick Quarterly Meeting. Have read the judgment of the Court. Are you aware that the White-Lick Quarterly Meeting case arose from differences among the members of the meeting as to doctrines and practices?

"Mr. Clute instructs his client not to answer but consents to a copy of the judgment being put in." 13720

I don't know that there are two parties among the Friends at Pickering. I don't know that there is any difficulty or trouble at Pickering with regard to the matter of one Barker, on his certificate.

The matter of closing the Westlake meeting house came first before the Bloomfield Preparative. I think it was not brought up by myself and Abram Saylor. It was not. I can't say who brought it up. It might have been myself who first spoke of it. Abram Saylor was not present at this meeting.

I think so far as I can understand we were proceeding according to our Discipline in closing the building as we did. According to the Discipline there was nothing we should have done before doing so. A committee had been appointed to take into consideration the advisability of longer allowing the Defendants to hold their meetings in the building. That committee reported that the building should be closed, when certain caretakers were appointed to close the building. We closed the house. I don't know of anything we should have done according to, or under our Discipline before going to law as we have. 13730

I don't know anything in our Discipline to hinder our bringing the law suit without taking any further steps. If they had been members of this Society we would have dealt differently with them. We did not deal as we otherwise would have done with them, because we did not recognize them as members of our Society.

1902
The above is a true and correct copy of the original as the same was filed of record.

Witness my hand and seal of office this 1st day of May 1902.

John H. Smith
County Clerk

Attest:
My Comm. Expires

Subscribed and sworn to before me this 1st day of May 1902.

Notary Public
for the State of Ohio

Witness my hand and seal of office this 1st day of May 1902.

There was no arrangement made that they were to be allowed to hold meetings in the meeting house. They asked what hour it would be convenient for them to hold meetings. They said two o'clock would suit them. This was after the meeting was closed and some of the parties had gone out of the house. Bowerman and his wife, Varney and Gilbert Jones were outside in their sleighs. 13740 About a dozen members were probably pre-ent, with about as many more woman. They asked for 2 o'clock, and that hour was talked of for them and 10 for our meeting. There was no agreement come to about the separate meetings. When the meeting was closed I went away home about my business. There was no agreement or arrangement that they were to have their meetings. I don't know what they done as to holding meetings there. I was never at any of their meetings. They have been meeting there. It may be possible that they have held meetings at 2 on Sundays. They have been meeting there on Wednesdays—they never asked to be allowed to meet on that day. At this meeting or time when the talk took place we did not forbid them holding separate meeting. I told them I had no unity with them in the separation. I simply spoke for myself.

It might have been agreed to by others of the party that they should be allowed to hold their 13750 meetings.

If a member of the Defendants affirm that such an arrangement was made, I shall not now contradict him.

We seek to exclude the Defendants from these premises because they have been disowned. They have been disowned because they did not attend our meetings, and because they say they set up a meeting of their own. These are the only reasons I know of.

The disownment took place before we closed the meeting-house. Up to the time of their being locked out, their meetings were held in the same meeting-house. What I call the setting up of their meeting was the holding of them at separate hours.

I don't know of any departure from Doctrine or Discipline further that they were guilty of for 13760 which they were disowned except the holding of their meetings at separate and distinct hours.

I don't know of any departure by them since, from Friends' Doctrines and Discipline except at one time, that was the occasion of the assault on the meeting hours.

I heard of no innovation in Doctrine or practice introduced by the Defendants' party before the separation by any one.

So far as I am aware the Defendants' Doctrines and practices are the same as ours, with the exception of holding their Separate Meetings and the assault on the meeting-house. So far as I know they still remain Friends in Doctrine and practice except that they don't meet in our meetings.

We keep them out of the building because they have been disowned. They ceased to be members because they have been disowned, and not being members they have no right there. 13770

We keep them out because they claim to be a distinct Society separate from us. They claim to have become so when they ceased to meet with us. They are separate in holding meetings, and in transacting business as a Church separate and distinct from us. They say that they were holding separate meetings and transacting business.

Another reason why I call them a separate and distinct Society is that they do not correspond with meetings which the Plaintiffs' party correspond, and that they do correspond with those that the Plaintiffs' party do not correspond with.

I was appointed one of the care-takers. I was present at the various occasions of the disturbances at the meeting place. It was at our intention to exclude the Defendants and their sympathizers from the building

13780

We locked the door against them; they never sought to exclude our party, never interfered with our meetings; I remember the 24th December, the first occasion, right well. I announced that day that I was there as caretaker of that house and that there would be no meeting there that day. The bolts of the door were broken off that day; one was broken and one was lost.

I was there on the 27th also. I don't know who stuffed the stove-pipes full of mats. I did not see them taken out—did not know anything about them. There were four persons there that day, besides the caretakers in the interests of our party. We locked it good and strong—determined to keep them out. Every window was nailed down. The back door was hooked in the inside. The front door was pretty well fastened. Gilbert Jones pried up one of the windows with a crow-bar, and in doing so broke the glass, and also put his crow-bar through the window. The sash was punched in by Jones with a crow-bar. I did not see Abram Saylor punch or strike Jones with anything. After the window was punched in and Jones was trying to get in the window, Abram Saylor with a piece of the sash in a loving manner shoved him back—he did it very gently.

13790

On the 24th after they got in they held their services, I suppose as they did also on the 27th.

If the house had not been locked against them on the 27th there would not have been either the scrimmage or the breaking in.

Each Yearly Meeting is independant as to what Discipline it should adopt.

I can't say that the adoption of New Discipline is one of the main matters that led to the dissolution at Westlake. I did not attend the Yearly Meeting at which the New Discipline was adopted. The introduction of the Discipline into our meetings may have been one of the causes of dissension by some of the Defendants' party. I don't think the New Discipline was a cause of dissension in our Quarterly Meeting.

13800

A Preparative Meeting can only be set up by a Monthly—a Monthly by a Quarterly and a Quarterly by a Yearly. I do not know that the Defendants' Yearly Meetings were so set up.

Our meetings as separate from the defendants' meetings were never set up in this was since the separation. We claim that they are the continuation of the original meetings. I know the defendants are not the same meetings, or set up properly—as they claim to hold their meetings at a different hour and at different times from those appointed when our meeting was originally set up. I think the Yearly Meeting has a right to change its place of meeting by request, and won't say, but what they could change the time of meeting by a week.

13810

I have heard that the partition has been taken out between the mens' and womans' meetings, at the Leeds meeting-house. I don't know that this is contrary to the ancient practice of the Society. I

don't know that I ever was at a regularly built Friends' Meeting-house at which there was not a partition. I hear also that there is singing and reading of the Bible there at worship.

I think it is that body of people in the Church who maintain the customs and usages of the Church who constitute the Church.

In explanation to MR. CLUTE.

Since the establishment of the Canada Yearly Meeting in '67, I think I have attended all the Yearly Meetings except one, possibly two. Extract "G" contains the Yearly, Quarterly and Monthly Meetings, and also an account of the early history of the Society in Canada. Extract "G" was com- 13820
puted by the authority of the Canada Yearly Meeting of '74.

The authority appears on page eighteen of the yearly minutes of '74. Levi Varney one of the Defendants was one of the parties appointed as a committee to draw up a list of the meetings. THIS BOOK EX. "G" CORRECTLY SHOWS THE MEETINGS OF THE SOCIETY IN CANADA, EXCEPT THE CHANGE THAT WAS MADE IN THE HOUR OF HOLDING OUR MEETINGS. This change was made for the convenience of the Friends. The hour was CHANGED FROM ELEVEN TO TEN—both for Sabbath and week-day meetings. The Monthly and Preparative Meetings remained the same as in Ex. "G."

I believe the New York Discipline was used by the Friends in Canada prior to the establishment of a Yearly Meeting. It was the Discipline of '59; book produced marked Ex. "K"; this was the Discipline in use by the New York when the Canada Yearly Meeting was established. I believe this 13830
Discipline continued to be used by the New York Meeting until '77, when it was revised. Ex. "L" is the revised New York Discipline. This was adopted by the Canada Yearly Meeting in '80.

I believe all the Subordinate Meetings in Canada have approved and adopted this Discipline as adopted and approved by the Yearly Meeting.

When this was adopted by the Westlake Monthly Meeting no protest or objection was urged against the adoption; the Discipline adopted in '80 has not been changed but has continued to be the Discipline down to the present time. The New York Discipline or a number of copies were sent to Canada for use and these not being enough copies for all the meetings, when the Canada Yearly Meeting adopted it they got a certain number printed to supply the deficiency; there was no difference between the two copies except the title page. The discipline of the Canada body is in harmony with 1384
New York, its parent body.

The Yearly Meeting in '80 was held at Pickering. That meeting appointed the next meeting to be held at Norwich at the request of Friends—I think at the request of the Quarterly Meeting there.

I was at the the meeting held at Norwich in '81. Ex. "M" is the yearly minutes of '80; on page 33 is the adjournment to meet at Norwich in '81. Howard Nicholson was the clerk of the Yearly Meeting of '80. In pursuance of the adjournment the Yearly Meeting met at Norwich in '81.

Ex. "N" is the minutes of Yearly Meeting of '81 held at Norwich. This meeting adjourned to meet next year at Pickering (see page 29.) The Yearly Meeting for '82 was held at Pickering. I was present. Howard Nicholson was clerk also in '81.

Ex "E" is the minutes of Yearly Meeting of '82. Ira Clark was appointed the clerk of this year 13850 but the same assistant clerk was continued.

The Yearly Meeting of '80 was made up of the following Quarterly Meetings: Pelham, Yonge Street and Westlake. The Yearly Meeting of '81 was made up of the same Quarterlies, as was also the Yearly Meeting of '82.

I find from the printed minutes of the Yearly Meeting of the Defendants for '81 that their meeting is made up of Westlake four months meeting. This Westlake four Months meeting is not the meeting that was formerly represented at the Canadian Yearly Meeting and is not the orthodox Westlake Quarterly Meeting.

This Westlake four months meeting is not recognized by the orthodox Yearly Meeting to which we belong. 13860

I know of what the defendants did towards establishing or setting up meetings only from hearsay. The act of disownment was after they had assumed to set meetings for themselves. The Westlake Monthly Meeting is composed of the Bloomfield and Wellington Preparative Meetings.

Ex. "O" is the minute book of the Preparative Meeting at Bloomfield. It extends from seventy-five down to the present time

The Defendants continued to attend the regular Preparative Meeting down to 10th Feb., '81, and including that day.

I was Clerk of the Preparative Meeting at Bloomfield at this time. While this meeting of the 10th Feb. was in season, no proposition was made for the Defendants holding Separate Meetings; it was not understood, and the meeting closed in the usual way. I signed the minutes. After the meeting had closed and a part had gone out of the house, my wife who was Clerk on the woman's side of the house, sent me a message. I called the attention of the Friends who were present, although the meeting had closed. At the same time Eliza Varney came in from the women's side. She said she had a proposition to make. She wanted to know when they could have the meeting house on the first day, when it would not interfere with our meetings, that they intended to separate from us. We told them it was not in our power to give them the privilege of holding Separate Meetings. I told them so and I believe others did also. 13870

At the time the request was made some of the Friends who had been in attendance had dispersed.

The Preparative Meeting on that day did not grant the Defendants the privilege of meeting at a different time. No members were delegated at that meeting to make any such arrangement. No such arrangement was come to during my stay or presence there. Our Westlake Monthly Meeting has never authorized the Defendants to hold their meetings there. 13880

I do not know of my own knowledge that any members of the Monthly Meeting authorized the Defendants to hold such meetings. I never heard that they did and I don't believe that they did.

Since the meeting of 10th Feb. '81, the Defendants have not attended any of our Meetings, either

Preparative, Monthly or Quarterly, or meetings for worship. If they have held meetings they have held them outside of what we consider the regular authority of the Society.

I made a minute of Eliza Varney's request in the Minute Book after the minutes of that meeting were closed. That day marks the day of their separation without any dissent at all.

Eliza Varney did not on that day make claim that they had a right to the use of the meeting house. 13890

Since that time the meeting house has never been closed after the Defendants at the regularly appointed hours and time for the meeting of the Society—on these occasions it has always been open and warmed when necessary. I do not know that any of the Defendants made personal application to be admitted into any of the meetings of the Society.

The action of the Monthly Meeting in disowning the Defendants was never appealed against in a single case.

None of the Defendants at any regular meeting before they went, brought up the question of Discipline and tried to have it altered in any way.

There has been no innovations introduced into the practice of the church up to the present time. 13900
McLean was here in '77, (July). Lydia Roenigh was here in June, '76. These people came with their credential from properly recognized meetings.

The Defendant Levi Varney was clerk at both these times, and I find the entries of their reception on the minutes.

No formal complaint was entered against these visitors for actions contrary to the Discipline or usages of the Society.

It has not been the practice down to the time of the separation to have any singing at the meetings.

I know of only one person in our Preparative and Monthly Meetings, and at one time only who sang in the meeting. 13910

This was John T. Dorland a minister in our Society.

If any one had been moved to sing I know of nothing in the discipline or practices in our Society to forbid it.

The occasion I have referred to was at a Monthly Meeting about two years ago.

None of the Defendants entered a complaint against him for that. I believe it was acceptable to the meeting.

Scripture reading at the services has been done once in awhile, but only occasionally.

It would not occur once at every meeting. I don't think it would average once a month, not more than that. I know nothing in the Discipline or usages of the church to forbid it; on the contrary I believe it is allowed. 13920

I am familiar with the rules of George Fox, the founder. On the first page of the first volume, marked Ex. "H," I have marked a memo. of the pages which I think refer to singing and the reading of the Scriptures. and which I think authorizes their use in public worship.

I was clerk of the Preparative at the time of the separation and continued to 14 July following. Stephen W. White, one of the Plaintiffs, was then appointed and he has continued as such ever since.

Anthony Haight was clerk of the Monthly Meeting at the time of the separation and he continued as such down to October last.

Lydia S. Hubbs is now clerk and Stephen W. White assistant. He has been so for a number of years.

13930

The Defendant Jones was married according to the rites of the church in '79. The minutes show the proceedings in connection therewith.

The Monthly Meeting of which I am a member has down to the present time looked after the repairs of the house. There was a debt on the Meeting at the separation for the repairing of the house. This has been paid off by the members of the Meeting of which I am a member.

None of the Defendants to my knowledge contributed anything toward this indebtedness.

Down to this time the Westlake Monthly Meeting, of which I am a member has had continuous possession and control of the premises. And it has had such possession ever since I can remember, 40 years or more.

The Yearly Meeting of which I am a member, in '80 was in correspondence with the following other meetings: London, Dublin, New England, New York, Baltimore, Ohio, North Carolina, Indiana, Western Iowa and Kansas, and in '81 with the same as also in 1882. The Defendants' Yearly Meeting is not in correspondence to the best of my knowledge and belief with any of these Yearly Meetings

13940

The recorder should have the old minutes and deeds of the Monthly Meeting. John T. Dorland is the present recorder. He has had them so far as I know. He has produced some of them here that I saw.

Re-examined by Mr. ALCORN:—

Ex. "G" does not show the hours of all meetings now. Changes have been made since as I have mentioned.

I don't know of my own personal knowledge that all the meetings in Canada have adopted the new Discipline.

13950

I believe I was at the Monthly Meeting at which the new Discipline was adopted. I don't believe anyone dissented to its adoption, nor was there any at the Quarterly Meeting. I don't believe there were any verbally expressed dissents to the adoption of the Discipline, either at the Monthly or Quarterly Meetings at which they were adopted.

The adoption was never brought up at either a prior Monthly or Quarterly Meeting, and no verbal dissensions was expressed at any such meeting. There was no discussion at the Quarterly Meeting

between Mr. Jones and young Mr. Dorland as to adoption of the new Discipline. When we received orders from the proper authority to adopt the Discipline we did so without a dissenting voice.

The date of the separation was 10th July, '81.

The new discipline was never brought up at any Preparative Meeting prior to the one at which it 13960 was adopted. I don't know what people talked outside about the adoption. I don't believe the Defendants had any objection to the new Discipline, and I never understood prior to the time the new Discipline was adopted that they had any objection to it.

After this 10th Feb., the two parties never met as a meeting again.

Ex. "O" since that time shows the proceedings of our meeting since.

The new Discipline was adopted by us after the separation—at the meeting in March. The entry at the first of the minutes of 10th Feb. is not interlined.

This book passed out of my possession when I ceased to be Clerk. I have not had it since, except one day I acted as Clerk in the absence of the regular Clerk. I drew the minutes off on a piece of paper and White copied them in the book. It has been our invariable custom to take down the 13970 minutes on a separate piece of paper, and afterwards copy them in the book; that was done with the minutes of 10th Feb. I can't say where the paper is on which I took down the minutes.

I believe I transcribed the records into the book the same day. I don't know that anyone saw me enter the minutes in the book. The book does not contain anything more than the minutes of what took place at the regular meeting. I did not read the memorandum at the bottom of the minutes. This memorandum was there at the time. All the memorandums was made at the one time. The erasure in the memorandum relates only to the fact that the meeting had closed when Mrs. Varney came in.

I believe the memorandum was all written before the erasure was made, and it was made because appointed twice. The reason why the last clause of the entry is in brackets is to show who it 13980 was who came in. I think the part in brackets was written after all the other of the memorandums. At the same time and place, I had previously written the part that is erased. I can't say that the part erased was not erased before the part in brackets was written.

I made the erasure and wrote the words in brackets to put it in a different shape. I don't see any other entries in the book made by me crowded in the way this is.

No discussion at an open business meeting, quarterly or otherwise took place between Mr. Jones and young Mr. Dorland as to the adoption of the New Discipline.

I don't believe any such ever took place.

The minutes of the Defendants' Yearly Meeting of '81, does not show the attendance of any representatives from Pelham Quarterly at the opening of the meeting. It does not show that the four 13990 men named on the first page are the representatives of the Pelham Quarterly.

The Defendants Yearly, Quarterly, Monthly and Preparative Meetings do not recognize our meetings.

At this time that Mrs. Varney came in at the close of the meeting—the matter of distinct hours were talked of. There were present of our own party that I remember of, myself, Alex. Derbyshire and Joseph Blucknof. I cannot say or remember for certain who else was present. There were a number of our party there whom I don't recollect. Up to that time, I know of no division of parties in the meeting or in the church. There were no two parties known by separate or distinct names in our Society—nor of any separation or disunion. I had not heard of any such—nor of Separatists in our Meetings or Society, until after the 10th of February.

14000

I applied the word Separatists to them at once, from the fact that they said they were going to separate from us.

I went to one of the Defendants Meetings at the request of Rufus King, a minister from North Carolina. As a rule the members of our party have not attended their meetings.

The Discipline enjoins the careful reading of the Scriptures at home. There is nothing that enjoins such reading or singing in meeting. Nothing for or against it.

Anthony Haight ceased to be clerk at his own request. He did not intimate to me that he was not in accord with our actions.

He has been at only one Monthly Meeting since he ceased to be Clerk.

We have done no repairs since the separation. The debt at that time was \$240. It was due to 14010 the Treasurer of the meeting as he had raised the money. Not a dollar or cent of it was coming to me. The account was audited and presented to the meeting after the work was done. Some years before the separation no person or members that I know of refused to pay anything on this claim until they knew what it was for.

Up to the time of the Separation we were all Defendants, and all, in possession of the building since we locked them out, we have claimed to exercise exclusive possession.

The Kansas, Iowa and Western Yearly Meetings with which the Plaintiffs are in correspondence, are those portions of the original meetings of the same names which since the division are in sympathy with the Plaintiffs' party, and the Defendants are in union and correspondence with the other branch which are in sympathy with them.

14020

In Explanation.

The account was read and explained item by item to the meeting—it was not audited.

(Signed),

ROBERT H. SAYLOR.

JOHN T. DORLAND, examination resumed.

I produce a deed dated 14th Dec. '35, marked Ex. "P." It is a deed of a part of the lands or premises from Jonothan Bowerman to Jonathan Clark and Gilbert Dorland, Trustees of Westlake Monthly Meetings of Friends, who were two of the Trustees in the deed of 1821.

(Signed),

JOHN T. DORLAND.

ABRAHAM BARKER SAYLOR, affirmed.

I made an affirmation in this matter I believe on the 2nd Jan.

14030

I have heard the evidence given by John T. Dorland and Robert H. Saylor or pretty much all of it if not the whole.

I joined the Westlake Meeting I think in March '81. I was not a member of the Society of Friends before that. I joined them after the separation between the Plaintiffs' and Defendants' party. I was not a member as it existed before the separation. I live in Bloomfield in the immediate vicinity of this meeting-house. I have lived in the neighborhood all my life. During the last ten years I have been acquainted with most of the parties to this suit and quite intimate with a number of them. Before I joined the Society I heard talk outside of dissensions and difficulties. In the Westlake Meeting. These appeared to be two parties. I have heard some talk among themselves about their dissensions before the separations.

14040

Q—Knowing what you do about the conclusion in the church, do you believe it possible or likely that the Plaintiffs were ignorant of the fact before the separation.

“Mr. Clute directs the witness not to answer the question as it would not be evidence if he did.”

They might be ignorant of the fact because some of them have not been in good terms for some years with some of the contending parties and might not hear what the contentions were. From their position in the church they ought to have known what took place at the meetings at least.

I was present at the meeting house on the 27th and on the 24th after they got in for about five minutes. I have no personal knowledge of the allegations contained in the affirmations of John T. Dorland and Robert H. Saylor except what refers to the appointment of a committee to consider the advisability of closing the building. The appointment of the caretakers and the disturbance which took place at the meeting house at which I was present. There may be some other things mentioned in their affirmations of which I have personal knowledge but I don't think of any now. I could tell if the affirmation was read to me. I was not at the Preparative Meeting from which the minute went to the Monthly Meeting respecting the closing of the meeting house. I had heard it talked of amongst our party before that. I can't mention any particular person I heard speak of it. I am not sure I did not hear several of them talk of it but I don't remember its being mentioned in meeting. I was appointed one of the committee by the Monthly Meeting to consider the advisability of closing the meeting house. Mr. Valentine came to me and said he understood we were going to lock them out. I said a committee had been appointed. I suggested that each party should name two or three parties to get the best authorities for each side and leave it for the best authority we could get—a Chancery judge if necessary—to settle who were the real owners. John Cronk told me he had proposed the same thing to Levi Bowerman, I think either him or Valentine.

14050

14060

When the minute was made in the meeting of the appointment of the committee I got up and asked the meeting what our duties were or what we were expected to do. I was told to learn what we could by talking with these people and report. We did make a report on the 21st December, recommending the closing of the house against them.

That meeting adopted the report first, and then considered when it should be closed. It was decided to close it at once, and caretakers were appointed at the same meeting.

I know nothing of my own knowledge of the circumstances attending the adoption of the New Discipline. It was all before my time.

14070

I know nothing in any way of the appointment of the original Trustees. I did not hear anything from any source of the appointment of the last Trustees, until I was appointed on this committee. I know nothing of the facts attending the separation of the two bodies.

In explanation to Mr. CLUTE:

Mr. Valentine said Cronk had been talking to him about the matter before he came to me. Valentine told me when I suggested a settlement—that it would have to go to Chancery anyway to settle it.

He named Stephen White, Robert W. Saylor, Alex. Derbyshire and C. G. Bowerman as parties when he would not talk to about it. I did not come to any arrangement with him—nor did I speak to anyone else in reference to it. He recommended that we should take no action in the matter 14080 towards closing the house, or it would certainly go into Chancery.

I think Wm. Valentine is one of the leaders of the Separatists.

To Mr. ALCORN —

Valentine came to me—I did not go to him, nor to any of the rest of them.

I did not send any messenger to any of these meetings, that I would like to see them about the matter.

I suggested that it should be left to a Chancery Judge, if it could not be settled otherwise.

I know Gilbert Jones to be an old Friend and a respectable man—and also Wm. Valentine and the two Garretts. Most of the defendants are old Friends and respectable people. Some of the Separatists were leaders in the Society, of long standing before the separation. Mrs. Branscombe, 14090 Mrs. Varney and Mrs. Valentine, I should think they were all ministers in the old association for years.

Both the Disciplines of 59 and 80, I believe prohibits the administering, as well as the taking of an oath. I have been in the habit of administering oaths as clerk of the D. C. at Bloomfield. It is I suppose contrary to Discipline.

It was spoken of when I applied to be admitted, and they said they thought I ought to give it up. They took me in knowing the fact, and there has been no complaint against me that I know of.

(Signed),

A. B. SAYLOR.

IN THE HIGH COURT OF JUSTICE, }
 CHANCERY DIVISION.

DORLAND vs. JONES. 14100

PICTON, 19th February, 1883.

Examination of Witnesses by Defendants on support of motion.

PRESENT,—Mr. Clute for Plaintiffs, and Mr. Alcorn for Defendants.

WILLIAM VALENTINE affirmed—I am the same Wm. Valentine who was examined a few days ago in this matter. I produce a number of issues of the "Brisish Friend," published in Glasgow. The Western Friend and the Friend to which I referred in my former Examinations as Quaker Literature, showing the causes which have led to dissensions in the Society, and also the differences in Doctrines which have been practised by the Plaintiffs' party. I have indicated in pencil some of the passages which I consider applicable.

MR. CLUTE objects to this evidence. Cross-Examined

14110

I regard all these papers as issue by the Orthodox Authority. They are not issued by any official authority, but we consider whatever they contain to be sound Doctrine. There is no paper published apparently by the Society of Friends:

I always considered the "Friend" a sound paper, but some years ago it was edited I believe by some one who bore rather hard as we thought upon the marvelous creeping into the Society. We thought they were unnecessary alarmed, but it turned out that they were right. I took the "Friends' Review" for a good many years, until I found it was advocating these new Doctrines. When I quit it and took the "Friend"; I discontinued the Review about five years ago; about the time the Minister McLean was here. There is also a paper printed in London called the "London Friend." I took it for a number of years. I think it has gone very far astray.

14120

The western Friend is published by one of the Friends there who is in sympathy with us.

I think all these three papers I have mentioned are all solid Orthodox.

Re-Examined.

I ceased to take the "Review" because I considered it was favoring these innovations into the Society. For many years it was very soundly edited but afterwards it passed into other hands. The change in the paper was not I believe from change in the mind of the publisher but because it passed into other hands.

The papers I produce are in three bundles containing several numbers each, marked Exhibits 1, 2 and 3.

(Signed),

WM. VALENTINE,

14130

MATILDA BRANCOMBE—Affirmed :—

I am 56 years old, and have been a member of the Society of Friends for 24 years, during this time I have attended the Bloomfield meeting house. I am acknowledged to be a minister of the Society, since a little over a year ago.

I have been a regular attendant upon the meetings in these meeting houses for the last 24 years. The meetings for worship and the preparation and monthly meetings.

I noticed dissensions and difficulties beginning to arise in the meeting in '75 and '76. Scott's visit was the first disturbing cause. He encouraged singing, advocated and carried on revival meetings, was opposed to plain deep and silent meetings.

He held and carried on revival meetings, I think the two years he was here. I never heard of 14140 such meetings being held in the Society before this, but I have heard since that such meetings were held in the States, and I may have heard of them before Scott was here, but I never saw or attended any. They were held among the New Lights or Progression Friends.

These several meetings were not acknowledged by the Old Friends at Bloomfield, but they were by the Plaintiffs' party. I attended one of these meetings at Wellington. The forepart of the meeting there was not much difference in, but he preached continually for about half the meeting and then had a prayer meeting—some 20 were down on the floor in the middle of the meeting, and one elder asked him where he would kneel. It was contrary to any order that I had ever seen in a Friends' meeting. I don't recollect that there was singing at this meeting. There was only the difference between this and ordinary meetings of so many engaged in prayer at once. About a dozen 14150 were down on their knees at once, and I think it was the intention that they should all be considered as praying at once. This procedure in separating themselves from the rest of the meeting and kneeling down in a body in the middle of the floor was contrary to the practices of our meetings. And the minister also asked them to get up and speak. This was contrary to our custom and practice. I think some of them did get up and say they felt better. This is not in accordance with the usual order of Friends' meetings.

I did not attend these meetings held by Scott through. All those of the Friends who wanted to fall in with this new order of things went to these meetings, and those who wished to adhere to the old practice of the Society did not. Although I believe some of them who went at first, afterwards ceased attending such meetings.

14160

Those who did attend these meetings were favoring and following something new in the Society. I think the most who attended these meetings of Scott, Kenworthy and McLean and others were outsiders.

Scott and these others called themselves ministers. Every act of devotion exercised by a minister must be at each time qualified for by the Great Head of the church to minister.

Nothing should be prearranged. He should come before the meeting as an empty vessel and receive from the Lord at each time what he is to say. There is no set form of worship and no set procedure. This is one of the distinctive features of the Society. The only rule about it is that only one should speak at once, so that everything may be done in order.

The procedure in conducting a meeting of worship is to go in and sit down in silence and turn our minds to the Lord and endeavor to learn his will concerning us. No one attempts to speak unless they feel his will communicated to them at the time; a ministry being thus received from the Great Head of the church each living member will feel a unity with the minister. 14170

The proceedings as practised by these people at these meetings was objectionable to the Society as being something coming from themselves and not from the Head of the church.

The reading of the Scriptures is not in order in a Friends' meeting. It is the practice to read them at home in our families regularly but not at our meetings. If one was engaged in reading the Scriptures it would draw off the attention of the worshippers from true worship.

We believe it is not necessary to use the set form of reading to constitute worship. It is prescribed by our discipline that the Scriptures shall be read at home in our families. 14180

I never heard singing in a Friends' meeting. If singing were given as an inspiration from the Lord it would not be objectionable in the party inspired, but any set form of singing or words like what is obtained from hymn books is contrary to what we consider the true manner of worship.

We consider all these meetings held by these people as out of order, being carried on under the will of man.

Certain errors in doctrine were also introduced at these meetings; one was instantaneous conversion—that all in the house could be converted by believing. They preached that if a man said he believed he was saved immediately.

We do not hold that believing alone has anything to do with conversion, as it is said that the devils believe and tremble. We believe that conviction of sin proceeds from the action of the Spirit, this comes first, and is not an act of the man himself, but comes from God. 14190

I never heard of such a thing in the Society until these new ideas that if a man believed he was saved. The bringing about of conversion is done entirely by the Spirit that is the drawing toward him is done by the Spirit and our co-operation with it conversion is brought about.

Conversion is not the mere intellectual exercise of the will, but I believe our wills can so act as to frustrate or prevent our ever becoming a child of God.

I have heard the teaching and preaching of the Plaintiff's party in connection with this subject of conversion, have heard C. G. Bowerman, Kenworthy and Scott. I considered their teaching at variance with the established teaching of the order.

They preached those erroneous Doctrines I have been mentioning. This part of the cause that led to the separation between the two parties. 14200

I heard David Uptegraph preach in a Yearly Meeting and he was one of these New Light Ministers, and he said he had heard people say that they had been blessed so, and so by the Lord, but he said they only believed that they were blessed when they were not. This does away with the Christian Religion as believed in the heart, and makes it entirely a matter of belief, or entirely depending on the will of a man. The effect of these teachings and preachings at Westlake caused a division in sentiment among the members of the Society.

I have examined Geo. Fox's journal and I refer to page 585 as bearing upon the teaching of false Doctrine.

I heard Scott say that he could preach at any time. This is contrary to the Doctrine of waiting for the Holy Spirit. It was in effect, saying he could preach at will which is contrary to Ancient 14210 Friends' Doctrine. See pages one hundred and one and ten ; Fox's journal.

The Plaintiffs' party received and countenanced the preaching of Scott and these other parties.

The Society believes that the Spirit is before the Scriptures ; that is the reason it puts the action of the Spirit upon the Minister before the reading of the Scriptures in our meetings.

It has always been the practice of the Society to the best of my knowledge, that there have been separate Mens' and Womens's Meetings.

Cross-examined.

The meeting house at Bloomfield has been in possession of the Westlake Monthly Meetings of Friends for the last 24 years. No one else claimed to exercise any control over it. I have a pretty good knowledge of the discipline and practice of Friends. It should be the Monthly Meeting that 14220 has the charge and control of the meeting house property.

They are so to speak the business meetings of the church.

I think the causes of the separation have commenced as early as '75 or '76. The principal cause of the separation I consider to be the wrong doctrines preached. I mean some that I have spoken of before to-day. Another is that the Spirit of the Lord does not work upon the hearts of the unconverted.

This, I believe not to be true. C. G. Bowerman preached this doctrine several times in the Bloomfield meeting house. He said the Spirit of the Lord had nothing to do with man until he was converted. I heard him say that, and I thought it was wrong at the time. We often used to talk about the matter, but were too much tied up to take action. No complaint was made against him by me. 14230

Alex. D. rbyshire preached the same thing. I don't know of any one else who actually did preach these doctrines belonging to the meeting house. The new party held up their hands or upheld them in the matter. What I mean is, that they gave any office in the church to their own Friends which had been before occupied by old Friends, and in fact gradually excluded the old Friends from all positions of trust in the Society.

I place some stress upon the matter of dress. I think any one fully convinced would live up in his respect to the practice of the Society. I don't think that Gilbert Jones lives up to the practice of the Society in this respect, nor does my husband either. I don't know of any of the old Friends who once were the customary dress who have laid it aside, but I do a number of the New Lights who have. There are very few on our side who do not live up to the standard in this respect, but nearly 14240 all on the other side do not. Wm Garrett, Vincent Bowerman, Levi Varney, Edward Cronk, Wm. Valentine and Johnston Brown are members of our side who live up to the standard. The question of dress would not have caused the separation, I have no doubt.

I think we might be better engaged in our meetings than in reading the Bible. It is wrong to take that time set apart for worship to the reading of the Bible.

My opinion is that whatever is said in meeting by a person moved by the Spirit, all the living members of the meeting will be in unity with it, what would be so said under the influence of the Spirit would be infallible.

That I understand they mean by instantaneous conversation is that mere belief constitutes conversion. The mere fact of believing does not constitute conversion, but it leads to it, and depends upon the operation of the Holy Spirit in God's good time. No time can be set for conversion. It is the Lord's time. Some may be convicted of sin for a year or more before conversion. I don't think it matters so far as conversion is concerned how a person is brought up, but renders them more easily of conviction. 14250

I don't recollect at Scott's Meeting when so many knelt together that they all prayed at once.

It was contrary to the practice of our Society that the meeting should be conducted in that way.

I have followed the practice of our Society I think in my life and practice. I never went forward in a Methodist Protracted Meeting. I have attended such meetings. At such a meeting when my son went forward, I went and knelt down by him as I had something to say to him; when I got through I got up and went away; I didn't think I transgressed the rules or practices of our Society in doing what I did. 14260

If a person knew a good hymn by heart and the Spirit moved him to sing it, and he sang it with the Spirit understanding it would not be wrong. Whatever the Spirit moves one to do they should do. We have no officers in our Society whose duty it is to decide whether what a person said or did was done under the inspiration of the Spirit. Whenever anything is said or done in meeting about which there is diversity of Spirit, we conclude it is not from the inspiration of the Spirit. If one only objected or was in disunity it might be sufficient. The person who speaks may be mistaken as to being moved by the Spirit. I always aim to be sure that there is a possibility, I may be mistaken sometimes.

I never read the new discipline, but I say we have no right to adopt a new Discipline of which we know nothing, and besides it was not introduced into and passed by the Yearly Meeting in accordance with the usual practice of the Society. I never sat in a Yearly Meeting which formed a new Discipline, but I know the practice of introducing anything of importance into the Yearly Meeting. 14270

I was not appointed a minister until after the separation.

The plaintiffs did not retain all the officers of the Monthly Meeting. They did not retain the clerk of our part, nor the overseers.

I think, those are the true members of the Society who live up to its teachings, and I think our Friends are those who do live up to its teachings.

I don't think it possible that the differences can be healed until all, nor nearly all of them are reconciled. I think, I would object to the most of them coming back with us.

I think separate meetings are correct and are according to the practice of the Society. The first 14230 meeting we held was in joint session. It was not held according to the rules of the Society in that respect, but we at once returned to the regular practice of the Society.

Re-Examined.

The reason the first meeting was held in joint session, was because we had neither books or clerks. We were organizing. The clerks and books had gone with the other party, and we therefore held the meeting jointly.

I heard at a meeting in Huntingdon six or eight at one time. This, I consider as contrary to our practice.

(Signed),

MATILDA BRANSCOMBE.

It is agreed that the examinations of all the parties taken before may be used as though the evi 14290 ence were taken. Hearing saving all, just exceptions, and that the respective parties who have been examined shall attend at the hearing for the purpose of being examined upon any special point the Counsel may desire, except in case of unavoidable absence of any of the parties on account of illness, when their evidence shall be read as taken before me.

(Signed),

S. S. LAZIER,

MASTER.

IN THE HIGH COURT OF JUSTICE, }
 CHANCERY DIVISION. }

DORLAND vs. JONES.

PICTON, 24th January, 1883.

14300

Cross-examination of Gilbert Jones, Wm. Valentine, Levi Varney and Allen M. Dorland.

PRESENT,—Mr. Clute for Plaintiffs, and Mr. Alcorn for Defendants.

GILBERT JONES, affirmed :—

I am living about a mile from Bloomfield. I moved there three years ago this month. Before this I had been living in Belleville. I had lived there about four years. Before this I had lived in Murray for about thirty-four years.

When I joined the friends we were all connected with the Westlake Meeting. When Cole Creek was set off as I lived near there I joined that Monthly Meeting.

I don't consider I am the head and front of this offending. I am maintaining and assisting in defending our rights. I myself have not put in any money in the buildings or land that was before my 14310 time.

If a Friend leaves a Monthly Meeting he can apply and get a certificate of his removal if he does not apply at the expiration of six months the Monthly Meeting to which he belongs sends a certificate to the Monthly Meeting to which the party has gone. This is according to the Discipline.

The Monthly Meeting to which a Friend goes I think appoints a committee to see if he is free from debt—all clear, and if he is he is at once accepted. I suppose from the time of the acceptance of his certificate he would become a member of the Monthly Meeting to which he has applied to join.

I don't know as I can tell when I was accepted by the Westlake Monthly Meeting—the minutes will tell. I don't think I got notice of the time; according to the minutes read to me, it was at the Monthly Meeting of February '81; that Monthly Meeting must have kept it back, for I had applied 14320 some time before this to the Cole Creek Meeting.

If the Cole Creek Meeting had sent it on when I applied it would have been received before this, and I believe it was kept back. I knew the hours of the Westlake Monthly Meeting after I had moved here. It was at ten or eleven in the morning, I won't say which.

The Preparative Meeting I think used to be at eleven—and it was afterwards changed I think to ten. I have studied the Discipline and Doctrines of the Society a good deal. The Discipline of '59. I don't know that it was revised about this time.

I have no recollection of its being revised then particularly. Ex. "K" is a copy of Discipline of Dis. '59, '59. We hold to that Discipline still. We have not deviated from the doctrines and discipline hold to it as laid down in this.

1433

This discipline was adopted by the 1st Yearly Canada Meeting in '67. We recognized this Canada Yearly Meeting down to the time we hold the Plaintiffs and their party, departed from it—DOWN TO THE YEAR '80—minister of that Yearly Meeting produced marked Ex. "M"—at that meeting we all meet as one body—Ex. "M" are the minutes, I expect of what took place there. I

ATTENDED ALL THE YEARLY MEETINGS FROM '67 DOWN TO, AND INCLUDING THE YEAR, '80. The Westlake Monthly was a Subordinate Meeting to the Yearly Meeting at that time. That Yearly Meeting was made up of the three Quarterly (or four months meeting), Westlake, Pelham and Yonge Street.

From the Yearly Meeting of '67, down to that of '80, the Discipline of '59 was the Discipline of this Yearly Meeting.

14340

Prior to '67, the Friends in Canada formed a part of, and was subordinate to the Yearly Meeting of New York, and the Discipline of the New York meeting was the Discipline of the Friends in Canada. I think, I have been a member of the Society in the neighborhood of 30 years.

I don't think, I can tell what was the Discipline of the New York Yearly Meeting prior to '59. The Discipline of '59 is the Discipline, myself and our Friends hold fast to. I don't really know whether the Discipline of '59, was the result of previous revisions of the Disciplines, theretofore in use. I think the Discipline of '59 was the first Discipline we ever had in our house. I don't pretend to say that the Discipline of '59 is the Discipline as laid down by George Fox. There were changes, I have no doubt. It is very seldom done. Some little changes have been made. I can't tell before the time I knew of the Discipline what changes have been made, and some little changes have been made since I believe, particularly in connection with spirituous liquors.

14350

I don't dispute that the printed matter on the front page of the Discipline of 59 correctly states the changes that have been made in the Discipline. I understand there has been some small changes in Dis. changes in the Discipline. In '67 we adopted a Discipline as a whole, but it was the Discipline we had been acting under. I understand that it is the custom when a Yearly Meeting gets too large, that a part is set off as another Yearly Meeting.

I don't understand that a Yearly or any other Meeting is ever set up of itself.

I RECOGNIZE THE NEW YORK YEARLY Meeting as the meeting which set off the Canada Yearly Meeting of '67. The Discipline of New York of '59 would be the Discipline by which the Orthodox Friends in Canada would be governed down to the time they were set off by themselves. I think each Yearly Meeting has a Discipline of their own. It is a matter for themselves. I think to say whether any Yearly Meeting set off shall adopt the discipline of the present body or not.

14360

I was at the Yearly Meeting of '67. I think I assented to the adoption of the Yearly Discipline of '59. I don't think I said anything in connection with it, but I did not dissent. I was satisfied with it. I think each Yearly Meeting can make a revision of their own Discipline if they are not satisfied with it. I don't think it would be constitutional for the Yearly Meeting of '80 to adopt the New York Discipline then in force there holus bolus over the Discipline then adopted when there was nothing in it that required alteration by the Society. I think the Yearly Meeting of '80 was not justified in adopting the new Discipline when there was so much objection to it.

I think the changes made by the Canada Yearly Meeting in their own description before they 14370 adopted the new Discipline in '80, were a couple in connection with spirituous liquors.

I think the Friends have always had a district Doctrine in many respects from other Religious Associations.

I accept all the Doctrines laid down in the Discipline of '59 from page five to twenty-two inclusive. I think these a fair statement of the Doctrine of Friends. Before '59 I think the Doctrines were the same. It is the Doctrines as laid down in the Discipline that I have principally read. I don't know that I ever read any prior Discipline.

We were a portion of the New York Meeting before '59, and if the Discipline of 1810, now produced marked "Q" was in use in the New York Meeting before and up to '59. It must have been the Discipline used in Canada also. 14380

From the examination I have just made of the Discipline of 1810, I don't find the Doctrine in detail in any part of it as laid down in the Discipline of '59. I don't know that I ever saw this Discipline of 1810 before, and I can't speak with any certainty as to how it conforms with the Discipline of 1859.

The Yearly Meeting of '67 adopted the Discipline as a whole as contained in what is called the Discipline of '59.

I think the Orthodox Friends wherever established in England, Ireland, America and Canada have always been considered one body. The Yearly Meeting is the highest meeting known in the Society.

The Yearly Meetings recognize each other by Epistles sent from one Yearly Meeting to another. I 14390 Epistles. I don't know of any other mode. If ministers want to travel they have to get a minute from the meeting to which they belong before they can be received by any other duly constituted meeting of Friends in any part of the world. Such minister is expected to get a return minute if he should preach doctrine not such as the meeting to which he goes or is received thinks is proper a return minister is refused.

This is one of the practices of the Society. I don't know that it is in the Discipline. I don't think any meeting should or could refuse the minister brought in this way but they could refuse to give a return minute.

I have only known the return minute to be refused in a Yearly Meeting—not in a lesser meeting.

Epistles were read by the Canada Yearly Meeting of '80 from London, Dublin, New England, New 14400 York, Baltimore, Ohio, North Carolina, Indiana, Western Iowa and Kansas Yearly Meetings. I think the Yearly Meeting of Canada had been in correspondence with them prior to '80, and since the Yearly Meeting was set up.

They both received from and sent epistles to these various meetings.

What we consider the true Canada Yearly Meeting corresponds with the Yearly Meetings of the

Western Iowa and Kansas. We correspond with the true Orthodox Meetings there. We correspond with no other of the Yearly Meetings I have mentioned.

The meetings which correspond with us from these three meetings, held their meetings separate from other Yearly meetings held in the same places.

I know they held separate meetings at the Western, as I have been there myself and attended an old Friends' meeting. I don't know when the separation took place in these places.

If they were divided in '80, the party with whom we now correspond in these places would not likely have sent correspondence to the Yearly Meeting of '80.

I am not aware that there has been any separation in any other of the Yearly Meetings with whom the Yearly Meeting of '80, was in correspondence, except those I have mentioned—Western Iowa and Kansas.

I don't think, I opposed in '80, the receiving or sending of correspondence or epistles to any of these Yearly Meetings with which that meeting was in correspondence. I can't say that any of our Friends did. There was no opposition to it, that I know of. We accepted the correspondence, but we knew there were dissensions amongst them. We knew there were Orthodox Friends amongst them and as there had been no separation we recognized them as Orthodox Meeting. We do not recognize them so now, as a body. There is no doubt, but in their meetings in which there has been no separation the other party has the majority, and being the majority they control the meeting and send correspondence to the other Yearly Meetings now.

We do not recognize their Yearly Meetings. Nor has our Yearly Meeting corresponded with nor received epistles from—say London, Dublin and New York. As a Yearly Meeting they do not recognize our Yearly Meeting, nor does our Yearly Meeting recognize them as a body. We do not recognize them as Yearly Meetings of Orthodox Friends.

We have ceased to recognize them since '80, or the beginning of '81, from the time of our Yearly Meeting in June. As a body we ceased to recognize them in '81, but we have a great many Orthodox Friends amongst them.

I don't know of any difference in Doctrine or Discipline of my own personal knowledge in the Yearly Meeting of London between '80 and '81, but I have read that there has been a difference and change in their practices. I don't know between '80 and '81 that there was any changes in their Discipline.

All those with whom our Yearly Meeting do not correspond, that I have read of, have gone astray and made changes in their Doctrine and Practices.

I am sorry to say that the majority I think has gone off on these wild Doctrines. A good many still hold to the old Doctrines and they are I believe increasing. I can't say how many of the Western belong to either of the parties there.

About 1500 Friends including members and children belonged to the Society of Friends in Canada in '80.

I can't tell how many belong to our Yearly Meeting now, but I can nearly tell the number of them in our Westlake Meeting. Shortly after the separation I counted up the regular members of the parties, and I think the members were about even—about forty-nine each without including the fast ones they have taken in. We recognized those who had been old members in the Society with us; not those who had been taken in at these Revival Meetings. We did not include those fast ones they have taken in. I can't say whether their names were in the books or not.

Ex. "P" is the minute book of our Westlake Monthly Meeting. I don't know whether there is any minute in this book of my reception as a member. 14450

I don't suppose there is as my certificate should have been received before this.

There is a College or School in connection with the other body at Pickering, or of which they have control and a pretty thing it is too for a Friend's College.

Ex. "S" is a printed circular for '82 in connection with this College or School.

The reference on page twenty two of the Yearly Minutes of '80, refers to this school. It has been under the care of the Yearly Meeting up to that time, but they have got us all out and got control.

I have a piano in my house now, but it belongs to one of these fast ones; my step-daughter had one also in my house at Belleville. I was over persuaded and had gone half way with these fast ones when I got my eyes opened. That Nigger Minister, Mr. McLean, opened my eyes.

MR. ALCORN objects to this evidence or examination on the ground that it is not referred to in 14460 affirmation.

On page twenty and twenty-one of the Yearly Minutes of '80 there is a report of this College or School Committee. I don't think I objected to the report particularly, or that any of our Friends did. There were strong objections to the way it was conducted.

This report is the report of a committee appointed the year before. I was on that committee for a number of years but I was gradually not allowed to have anything to say. There was no objection to the financial part of the report. People very much objected to the manner in which the school was conducted. I myself would not send back my daughter in consequence.

I see by the report of the Yearly Meeting of '80 that Joshua Richardson was Superintendent. There could be no objection to the way it was conducted that year, but there was the next when 14470 Barker was Superintendent, and it was to that time I referred when I said there were strong objections to the way it was conducted.

It was not at the Yearly Meeting of '81 that Barker was appointed. Richardson was the Superintendent up to that time. The Education Committee reported to the Plaintiffs' Yearly Meeting of '81. reference is made to it in pages 20, 21, 22 and 23 of the minutes of that year.

That committee also reported to the Plaintiffs' Yearly Meeting of '82 as appears on page 12 of their minutes of that year and may have had the control of it and of course the report would be made to them.

No report from the college was made to our Yearly Meeting of '81 or '82. No reference is made to it in our Yearly Meetings. We had no control of it and there was nothing to report.

14480

On page 28 of the Yearly Minutes of '80 a pastoral committee from Westlake, Pelham and Yonge Street was appointed. Not one of the old friends was named on that committee. I was appointed a member on that committee. The first person I nominated was objected to and I said if you are going to have all on your side I may as well leave and I walked out.

On page 15 of the Plaintiffs' Yearly Meeting there is a report of this committee—just such a report as I would expect would be made. That Pastoral Committee did not report to our Yearly Meeting.

On page 28 of the minutes of '80 it appears that a committee on Discipline was appointed. That committee reported to the Plaintiffs' Yearly Meeting of '81 as appears on page 14 of the minutes of that year. They did not report to our Yearly Meeting. They had gone out from us before that.

It is declared at page thirty, Article forty-nine of the minutes of '80 that the London General Epistle be read in open session at the first sittings of the meeting. On page four, Article five of the minutes of the Plaintiffs' Yearly Meeting of '81, it appears that the London Epistle was received in open meeting.

14490

The London General Epistle was not received at our Annual Meeting of '81. I have always said that we did not receive or send Epistles to this Meeting.

By the minutes of '80, Art. sixty-one, reference is made to the appointment of new Elders, when the new Discipline come into force. By the minutes of the Plaintiffs' Monthly Meeting of Feb. '81; it appears that Elders were appointed at that time.

No such appointment was made at any of our Monthly Meetings. We did not adopt the new Discipline. No objection was made by me to the direction in that respect, made at the Yearly Meeting of '80.

14500

At pages four, five and eight of the Yearly Minutes of '79, representatives were appointed of the Yearly Meeting for three years. I think I was appointed one of these representatives at that time.

At page seven of the minutes of the Plaintiffs' Yearly Meeting of '82, it appears that the Representative Meeting reported. That Representative Meeting did not report to our Yearly Meeting; they had gone out before that and did not belong to us. It appears in the minutes of Plaintiffs' Yearly Meeting of '82, that a new Representative Meeting was appointed.

At our Yearly Meeting of '81, we appointed a Representative Meeting. We were obliged to because the majority of the Representative Meeting appointed in '79 had gone with the Plaintiffs' Meeting. Myself and Ward of those appointed in '79, from the Westlake Monthly Meeting were the only two who did not go with the other party. Ward now lives near Kingston and does not belong now to our Westlake Monthly Meeting. We appointed this Representative Meeting because we were obliged to.

14510

The question of holding the Annual Meeting at some other place than Pickering was first brought up in the Annual Meeting of '78; Article sixteen. There was some considerable discussion about the right to do so.

It was again brought up in '79 , Article thirteen.

In 1880 the Yearly Meeting adjourned to meet in '81 at Norwich. (Art. 63, p. 32 of minutes of that year.) Our Yearly Meeting was held at Pickering in '81.

I don't recollect that I made objection in '80, when it was proposed to hold the next meeting at Norwich, I don't know that any of our Friends did. 14520

In some ways they would not let me act in '80. I left the Committee Meeting as I saw it was all on one side.

I believe the Plaintiffs' Yearly Meeting did meet in Norwich in '81.

I do not deny that the Yearly Meeting of '80, was a regularly constituted meeting of the Friends in Canada. I claim that our Yearly Meetings of '81 and '82 are a continuation of the Yearly Meeting of '80, of the Orthodox Friends.

I don't claim that we represent the whole of the body, which formed the meeting of '80—a part of it went off and held a meeting by themselves.

We held a Yearly Meeting, because we could not agree with the Doctrines, and the way they conducted the meeting of '80. We would have to recognize the Yearly Meeting of '80 in some respects. There was no separation at the Yearly Meeting of '80. We differed very widely from the Doctrines they had been preaching, and the practices they held. 14530

We did not hold our Yearly Meeting in '81, with the others at Norwich, because we could not go with the people who held and preached such doctrines as they did.

We stayed right where the annual meeting had been held at Pickering, and they went off to Norwich. We made up our minds to hold our annual meeting at Pickering, when we made up our minds that we could not meet with them any more conscientiously.

I don't know particularly when we made up our minds, that we would not meet with them any more. 14540

It appears to me it was at one of our Quarterly Meetings that it was first brought up. We made up our minds that we would hold the annual meeting right along where it had been held before.

I don't recollect that it was after we had correspondence with other parties. Perhaps there had been some correspondence by some of the parties.

I recollect that a committee was appointed at our Monthly Meeting for the purpose set forth in page 3 of the minutes of our Monthly Meeting.

That committee reported as appears by page 8 of our minutes I believe. I think it was at a Quarterly Meeting after this that we decided to go right on and hold the annual meeting in the usual place.

I think it was usual at each Quarterly Meeting that the declared (and so appeared upon the minutes) to meet again at the same place the next year. 1455

Jones I made up my mind after the yearly meeting of '80 that I would not meet with them again and
wouldn't attend I think others of the Friends did also.
Y. M.

On page 2 of the minutes of our Monthly Meeting held 16 March, '81, appears a minute introduced by the clerk, which was adopted. By it we changed the hours of our meeting—not the days, except 14520 the mid-week meeting which was changed from the 5th to the 4th day.

I consider the duties of the Yearly Meeting to be these.

The Preparative Meetings send up their business to the Monthly, the Monthly to the Quarterly, and the Quarterly to the Yearly, and it is such business that the Yearly considers.

Ex. "T" is I presume the Minute Book of our Preparative Meeting.

I was at the Monthly Meeting at which the last Trustees were appointed. It was, I think in Oct., '80. I don't remember that it was brought up at any previous meeting. No one was excluded from the meeting.

I opposed the appointment, and I believe Mr. Branscombe did also. They would appoint them contrary to our wishes and the wishes of others. I saw that they were desirous of getting the matter 14530 in their own hands, and to shut out all the old Friends. I urged that the old Trustees were still alive and that no appointment was necessary.

I remember the Preparative Meeting of 10th Feb., '81. Robt. H. Saylor was clerk of the meeting while I was there.

I understand that a member of the old Friends stayed and had another Preparative Meeting. I did not. I believe Levi Varney was appointed clerk of this Preparative.

I think Saylor acted as clerk of this Preparative Meeting held first that day, and that the meeting closed after the transaction of the usual business. It was decided right then that day to hold another Preparative Meeting, and it was, I believe held. There was a minister there that day.

Blackledge had preached such doctrines that we could not stand. He said among other things 14540 that a silent meeting was a good place to cast interest in.

He had preached at our meetings before. It was talked of before that; we could not stand such Doctrines as were being preached. I don't know [that it was decided upon before that day to hold Separate Meetings.

It was not only from the preaching of Blackledge, but from the action of the members of the preparative also. One of the Elders would get up and read the Scriptures and then preach, and read the Scriptures again and preach, and Robert H. Saylor would holler out "Praise the Lord!" and such things kept the meeting in a continual uproar, and were so contrary to our Ancient Doctrines and Practices that we could not stand them, and we decided to hold Separate Meetings.

A. Kinwilling, a Minister from the States, said he would preach and pray until the Lord told him 14550 to stop; all these things were contrary to what we considered the Ancient Doctrines and Practices.

This had been going on for a year or more. On another occasion in '80, after the Yearly Meeting Kemonthy, a Minister from the States, while a Friend was preaching, would call out that is a lie, and after the meeting was closed again stigmatized it as a lie.

Kemonthy was a Minister these Pharisees had taken up This practice had been creeping in for several years. I did not live over here when McLean was here, but I heard enough complaint from the Friends here about his preaching.

Myself and Friends made up our minds that we would not stand this sort of thing any longer. The day we made up our minds to hold Separate Meetings we decided not to attend their meetings any more I am told they have gone on worse since we ceased to attend their meetings. Several who attended these meetings at first, after we left have left them and come to us. Grimmen Hubt's family, Wm. Robinson, Wm. Garratt and his daughter. Anthony Haight has I understand left them, but he has not yet attended our meetings. 14560

We concluded to hold our meetings separate from theirs. We considered that THEY HAD SEPARATED Separate themselves from the proper doctrines of the church and we commenced to hold ours in what we Meetings considered, I believe is according to the doctrines and practices of the church.

At the time we commenced to hold our separate meetings I believe there had been a separation in the Pelham Quarterly Meeting.

At the Yearly Meeting of '78 two reports were received from the Pelham Quarterly. A committee was appointed in connection therewith. I believe a great deal of discussion took place in the committee as to which report should be adopted. One of the committee said it was the prevailing opinion of the committee that such a report should be adopted. It was that body of Friends at Pelham whose report was not received who are now in union and sympathy with us here. 14570

When we commenced to hold our separate meetings we intended to have our Monthly, Quarterly and Yearly Meetings separate from the others.

2ndPrep. Our second Preparative Meeting was held on the 9th of March.

At that meeting we appointed our own representatives to the Monthly Meeting.

I believe at the meet of the 10th February at which Robert H. Saylor was clerk representatives ignored. were appointed to the Monthly Meeting. WE IGNORED THAT APPOINTMENT.

The Monthly Meetings have been held twice at Bloomfield and once at Wellington. 14580

The next Monthly Meeting after the separation would have been held at Wellington if there had been no separation..

We did not hold our Monthly Meeting at Wellington. I heard that the other party did.

I think the Quarterly Meeting fixes the time and places of holding the Monthly Meeting. The next place according to the manner in which they had been appointed and held would have been at Wellington, but we could not do otherwise from the manner in which they acted. Under the circumstances we could not do otherwise. I suppose strictly according to the Discipline there was no authority for us to appoint a Monthly Meeting to be held AT BLOOMFIELD, but I am not sure.

Prior to our separation the Westlake Monthly Meeting was made up of the Bloomfield and Wellington Preparative Meetings. We had no representatives from the Wellington Preparative Meeting at our first Monthly Meeting at Bloomfield. We had not then, and I am not aware that we have now a Preparative Meeting at Wellington. 14590

Our Monthly Meeting is made up of the Preparative Meeting at Bloomfield, only they locked the house at Wellington, and our Friends could not go in—so I am told:

I have never heard of a Preparative Meeting setting up a Monthly Meeting. I should think it would be contrary to the Discipline. Neither could a Quarterly Meeting be set up by a Monthly Meeting. A Quarterly Meeting could only be set up by a Yearly Meeting.

I only know from what I hear, as to who of my Friends were present at the Preparative Meeting of the 10th February, I heard Levi Varney was.

I think Anthony Haight was the clerk of the Westlake Monthly Meeting before the separation. 14600

I attended our first monthly meeting held after the separation. I don't remember whether I was one of those appointed to attend or not. The meeting was held at Bloomfield. I don't remember the fact of Levi Varney being appointed clerk, but I believe he was.

When we were altogether the week day meeting was held on the 5th day, and the monthly meeting on the 3rd and 5th day. The week day meeting was appointed to be held on the 4th day, and the monthly meeting on the 4th day, before the 3rd and 5th day of each month.

When we were altogether there had been Overseers appointed. At our first monthly meeting we appointed new Overseers. I have no doubt it was so, or it would appear on the minutes. The clerk was authorized to prepare a minute stating some of our reasons for meeting as we had of changing the time for holding our meetings. 14610

I may have been at the first Monthly Meeting of the year '81, I don't remember of overseers being appointed at this meeting. I don't know whether any overseers existed at that time or not.

It is possible that overseers were appointed at September Monthly Meeting of '80. We appointed new overseers because we had our own meeting. There were two meetings. We had a meeting by ourselves and wanted our own machinery to carry on our work.

We did not recognize the overseers appointed at the previous September Meeting although it may have been a regular Monthly Meeting when we were all together at which they were appointed.

Representatives are always appointed to the Quarterly Meeting at Monthly Meetings. The names just read to me as appointed at the January Meeting of '81 were all on their side.

I remember John J. Dorland being appointed as Recorder instead of Wm. Garratt. I don't know that I opposed it, I did not hear Garratt say he desired to be relived. 14620

All the overseers whose names are read to me as appointed overseers of the poor, and at the January Meeting of '81 were on their side also.

I think the last Quarterly Meeting when we were all together was held on the first Saturday in February.

The question of the Discipline came up at that meeting, and there was considerable discussion. I was at the meeting; everyone at the meeting has a right to take part in the proceedings whether representatives or not are allowed to take part in the proceedings. The Discipline was carried over our heads in spite of all our opposition. I heard afterwards that it was not carried in the Woman's Meeting. The Clerk of that meeting told me that it was not carried, and that the meeting adjourned. 14630 I was also told that they, the other party, went back and appointed another Clerk, and carried it. I understand there was a majority against it at the Women's Meeting.

I think the Yearly Meeting has the right to first adopt a Discipline. I don't think the Subordinate Meetings are bound to adopt it if they don't think it right.

I don't know that it was decided at this Quarterly Meeting that we would not meet with them again in another Quarterly.

I may have been, and I presume I was at our monthly meeting held in May. I can't remember what was done if I was there. If I was appointed at that meeting as representative to the Quarterly. I must have been there.

It is on the Minute Book that a communication was received at this meeting from the Norwich monthly meeting it must be so. Of this I have no doubt, that they declared that they were in cordial sympathy with us. Whatever is on the minutes in that respect, I have no doubt took place. I can't recollect that it was decided at this meeting to hold our ensuing four months' meeting at four o'clock. Before the separation it had been held at either 10 or 11. If it appears on the minutes that the hour was fixed for four o'clock, I have no doubt it is correct. 14640

I can't recollect what hour the meeting of elders was appointed to be held. The meeting was usually held the day before the Quarterly.

Whatever appears upon the minutes in that respect. I have no doubt is correct.

I think by the discipline of '59, a monthly meeting has not the power to change the hour of meeting of the Quarterly meeting. It was changed to suit the agreement that was made as to holding the meetings in the house. 14650

Prior to the separation, I think the Quarterly meeting was made up of Westlake, Leeds, Kingston and Cole Creek monthlies.

The first Quarterly or four months was held in the 6th month, I think. I think we had representatives from Cole Creek Monthly Meeting at the first Quarterly. I am not certain that we had representatives from Leeds and Kingston meetings at that Quarterly,—but we did afterwards—perhaps the reason was that they did not hold their meetings separate then at these places.

I think the Representatives who came from Cole Creek were from those who had separated.

That Quarterly was the last that would be held before the Yearly Meeting.

It was at this meeting that we decided to hold a Yearly Meeting right along different from that 14660 adjourned to Norwich as they had gone out from Friends' Doctrines. We considered that we held the Doctrines of old Friends, and that they had gone out from them. We did not recognize any of the meetings held by the other party.

At the Monthly Meeting in March it was decided to hold the Annual Meeting. This Meeting was made up of the Bloomfield Preparative only.

I was one of the Representatives to our first Yearly Meeting. There had been Yearly Meetings before while we were all together.

It was decided at the Yearly Meeting of '80 to raise \$500, as appears by the minutes of that year.

Our Yearly Meeting did not raise that sum or try to. They had gone out and we had nothing 15670 to do with them,

They had the majority in that meeting and carried everything with them. We did not require the money for our purposes. We did not have anything to do with what the other Yearly Meeting had done. I never knew of a Yearly Meeting at which some sum of money was not directed to be raised. At both our Yearly Meetings we raised money and such amounts as we required.

Howard Nicholson was the Clerk of the meeting of '80. I don't know whether he continued to be the Clerk of the Plaintiffs' Meeting in '81, I was not there.

Ex. "U" is the printed minutes of the first Yearly Meeting. I am not certain whether we received any correspondence at this meeting or not; from other meetings Epistles were sent to Western Kansas and Iowa Meetings. Reports were received from the Westlake Meeting. The action taken 14680 by us in connection with the Pelham Quarterly was in consequence of the action taken at the Yearly Meeting of '78 in refusing to accept their report.

Our Yearly Meeting was made up of our Westlake Quarterly and the Pelham Quarterly whose report had been refused as I have stated.

At that Yearly Meeting we did not recognize anything that had been done at the Yearly Meeting of '80 nor any of the Committees then appointed. We had to constitute our Yearly Meeting in consequence anew.

We did not correspond with any of the Yearly Meetings or separate Yearly Meetings with which they were in correspondence. We appointed new officers throughout.

The Yearly Meeting fixed the time of the various meetings as appears in our minutes.

14690

Our meeting appointed a committee to take into consideration the causes which had led to the existing state of things. That committee reported as appears on pages 9 and 10. That report was adopted. The report did not agree with the adoption of the new Discipline by the meeting of '80. This reported that the other party had obtained the control of the Yearly Meeting of '80.

Pliffs' Y. We had a separate Yearly Meeting from that obtained control of by the other party in '80. M. 1881-2 continu- These meetings of the Plaintiffs' in '81 and '82 were in succession to and in continuation of the ation of the meeting of '80, because there were so many of the fast Friends that they took it away with 1880. them.

The Plaintiffs' Quarterly and Monthly Meetings are subordinate to the Yearly Meetings.

If their Yearly Meeting is the true Yearly Meeting, these subordinate meetings are the true meetings, but they are not. 14700

Adjourned till to-morrow at 9 a.m.

GILBERT JONES, examination resumed :—

The errors introduced by the Plaintiffs' party are set out in page 9 of the Minutes of our first Yearly Meeting '81, or are some of them. I agree with that Minister Jones on the committee to whom the matter was referred.

I am not particularly familiar with the New Discipline. My wife was clerk of the Woman's monthly meeting at the time the New Discipline was adopted by the Yearly Meeting, and was also assistant clerk of the Yearly Meeting. She had a copy of the New Discipline at the house, but I never had an opportunity of perusing it as I did the old. I would not object to the New Discipline merely for the sake of objecting. I believe our Yearly Meeting decided to hold to the Discipline of '59. We had lived along and had been satisfied with the Old Discipline, and we did not want any changes in it. I can't say that there is any difference in the doctrine as laid down in the New Discipline from the Old. We object to the appointment of pastoral committees. 14710

Such a thing was not known among old Friends. The reference to the appointment of Pastoral Committees is on page thirty-three of the New Discipline as now read to me. As I understand it this was giving in effect to these pastoral Committees the duties of a Minister if they would just do what their duties are, as laid down in the Discipline, there would not be the same objection, but they go beyond their duties.

Another objection to the Discipline is that they appoint their Elders for three years I believe. 14720
New Under the old Discipline an Elder once appointed was an Elder for life. If they would just stick
Discip- line. to the Doctrines even if the new Discipline that they have adopted, it would not be so bad but they dont.

I am not familiar enough with the new Discipline to point out now from memory any other objections. If they had gone on with their practices even if they had not adopted the new Discipline, we would not have stood it.

The new Discipline at the time it was introduced was received right along. I believe objection's were asked for and some were made, but the Clerk would allow a person objecting to speak but once. After the reading of a clause the Clerk did not stop and ask for objections to it.

I objected to the manner in which the new Discipline was adopted at the Annual Meeting as well as to the Discipline itself. 14730

I object also to matters introduced at meetings being carried by majorities. It is contrary to the Major- ities. Ancient Practices of the Society. The practice among true Friends has always been that when objections have been made to anything introduced the matter has been allowed to stand over for further

consideration to see if all the parties could not see it in the same light. I never knew of a case among true Friends that they did not all agree eventually.

A true Friend would not block the proceedings by holding out. If he could not be convinced it would be laid over for further consideration and I never knew a case among true Friends in which they did not all agree.

A person desiring to become a member of the Society writes or requests to be admitted if they should deem him worthy. He signs it. This request comes into the Preparative Meeting, and they send it up to the Monthly Meeting who appoint a committee to ascertain whether he is convinced of true Friends' principles, and whether his conduct is orderly. See page sixty-three of the Discipline of '59. 14740

The minute book of the Monthly Meeting should, I believe, shew the names of all members admitted.

I belong to the Westlake Monthly Meeting, comprising the old Friends.

No books shewing old members The minute book of our Monthly Meeting does not shew the names of old members who came into the Society before the separation. Only the new ones who have been admitted since, and there is only one such young Mr. Branscombe admitted by request of his parents.

I don't know that there is any book containing the names of those who belong to our party and meeting. The following are the names of them or such of them as I can remember :—I am one, Wm. Valentine, Levi Varney, Allen M. Dorland, Wm. Garratt, John Garratt, Adam Henry Garratt, Judah Hitchmor, Samuel Ellis, I believe, Wm. Haight, Stephen Hubbs, David Hubbs, William Branscombe, David Branscombe, Zachariah Height, I believe, John White, Vincent Bowerman, John Brennan, Levi V. Bowerman, Amos Bowerman and many others. 14750

We claim all that belonged to the Order before separation, except those who have taken an active part with the other party. These are invariably members of the meeting, but are not true Friends.

I remember Blackledge attending the Quarterly Meeting in Feb., '81. The old Friends objected to his preachings and practices. Allen M. Dorland was the clerk then. He is now a member of our party.

I don't think I was present at the Quarterly Meeting held at Farmersville in Oct., '81. I can't say what was done at this meeting. I presume the minutes will shew what was done. It appears by the minutes now placed in my hands that the Westlake Quarterly was directed by the Yearly to raise their proportion of \$500, directed by the Yearly to be raised by the Society. I believe the Westlake Quarterly's proportion of the \$500 would be 33 per cent., and I have no doubt that the proportion of the Westlake Monthly might be 44 per cent. of the 33 per cent. 14760

Our Monthly or Quarterly never pretended to raise any part of this money directed by the Yearly of '80.

The minute appears on page 27 of the minutes of the Quarterly Meeting of Oct., '80, of the amount to be paid by the Westlake Quarterly and Monthly.

On page thirty of the Quarterly Meeting minutes will be found the minute referring to the 14770

...of the new ...
...to ...
...Quarterly Meeting ...
...At the first ...
...was ...
...of the first ...

I don't know ...
...over know of a Quarterly Meeting ...
...in the case which was an extraordinary one ...
...The minute in which it was held ...
...Quarterly Meeting ...
...at the ...
...at the ...
...at the ...
...at the ...

The Quarterly Meeting ...
...which are the ...
...at the ...
...at the ...
...at the ...
...at the ...
...at the ...

I think it was ...
...at the ...
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When we ...
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adoption of the new Discipline as directed by the Yearly Meeting of '80. At that meeting I believe Friends were appointed to carry out the Discipline as to election of Elders. The Friends appointed at that time all belonged to the fast party. This Quarterly Meeting was the last held before the separation. At the next Quarterly we appointed our own Clerk, and A. M. Dorland the former Clerk Deft's. Meet'g. was re-appointed. I see it is recital in the minutes that his time had expired. This meeting was a meeting of our own party. One of the first acts of this meeting was to be rescind the adoption of the new Discipline.

I don't know that I ever knew of a Quarterly Meeting rescinding the Act of the Yearly Meeting, except in this case which was an extraordinary one. The resolution appears on page thirty-one of the Rescinds minutes of the Quarterly Meeting. The minute in respect of holding the Yearly Meeting, New Dis- 14780
cipline, states that a Yearly Meeting will be held if WAY OPEN. This means if no blocks in the way, or nothing in the way. We did not intend this Yearly Meeting to be in continuation of the other of '80, Y.M. will as they had all gone out, or went off with that meeting some where else. I understood be held if way op'nsthat the Plaintiffs' Yearly Meeting of '81 was a continuation of the meeting of '80.

We recognize the meeting of '80 as the continuation of the Yearly Meeting of Friends in Canada down to that time.

The Plaintiffs' Westlake Quarterly Meeting is subordinate to their Yearly Meetings of '81, '82, which are the continuation of the Yearly Meeting of '80.

If I recollect aright it was talked over at the Quarterly Meeting that we would hold our Annual Meeting at the same time and place. I don't know that it appears in the minutes. 14790

The record on the Monthly Minute Book with, reference to the holding of the Annual Meeting refers to the Report of the Committee. It does not appear on the minutes that the Report was adopted or united on.

I think it was decided at the Quarterly Meeting when and where the Yearly Meeting was to be held. I don't know why it does not appear on the minutes.

When any matter is to be taken up to the Yearly Meeting from the Monthly Meeting it is taken through the Quarterly. There was no Quarterly Meeting before the Yearly Meeting after the Monthly Meeting containing the record of the report of the committee referring to the holding of the annual meeting.

When we attended on a first Yearly Meeting we did not take any part of the money directed by 14800
the Yearly Meeting of '80 to be raised.

The money for any Yearly Meeting is usually raised before the Yearly Meeting. We did not raise any money before our first Yearly Meeting but we did at the meeting. Can't give an idea of the amount. I never knew a thing of this sort to occur before.

By the minutes of our first Yearly Meeting page 11, it appears that Westlake Meeting was By dft's. directed to pay 55 per cent. of the whole amount required by the annual meeting: The whole Y. M. p. 11, W'st-amount was to be paid by Westlake and Pelham Meetings. At this annual meeting we had no lake to pay 55 correspondence or representatives from any one place where there had not been a separation p. c. into two parties.

What I mean in the third paragraph of my affirmation when I say that our Westlake Monthly Meeting are in direct succession to the body which constituted the Westlake Monthly Meeting of '21, or as far back as I can remember is that we hold the same doctrines and the same meetings. I can go back in my remembrance for 30 years. 14810

What I mean when I say, the Plaintiffs' are not recognized as Friends, is that we do not think they are Friends from their practices and conduct.

Their secession from Friends' principles and doctrines has been gradual by the Plaintiffs, until they got so that we could not recognize or consider them as Friends.

I think this heresy commenced in the States. The first I found out that it was creeping in here, was when the colored minister Noah McLean was here. I first saw him at the Yearly Meeting of '77. No doubt he brought proper credentials. I don't think he took much part at the Yearly Meeting. I did not object to anything he did or said at this meeting. 14820

The next time I saw him was at my own place shortly after. We were Friends, and knowing I was living at Belleville, and passing through with a couple of other Friends, whom I knew, they stopped at my place for dinner. They did not dispense any of their heresies then.

We did not talk about doctrines. McLean used my daughter's piano at the house. I did not make any objection to it. I saw them again a day or two afterwards when they came back the whole three. I may have asked them to stop on their way back. They did and went to Picton on the boat.

I don't know that I ever saw him again. All I know about the heresies he preached or taught is from hearsay. At that time I was not a member of the Westlake Monthly Meeting but was of the Quarterly. 14830

Wm. Wetherald is the next teacher of heresies. The first I saw of him was in '69 or '70. I thought Wetherald him a very good Christian. I saw him again at Cole Creek meeting house at a funeral at which he was asked to come and officiate. He is the first I ever saw in a Friends' meeting take up a Bible and read from it in a meeting. This is contrary to ancient Friends' practice and custom. I don't recollect that he gave utterance to any given doctrine. His offending was the reading of a passage of Scripture. If the Spirit really moved him to do so it would not, I suppose, be wrong. I thought it a wrong step in a Friends' meeting I believe the Bible. I think it is a book that should be read at home. According to the Friends' orders they do not take their Bibles to the meetings. This occurred about seven or eight ago.

We believe in reading our Bibles at home and not in taking our Bibles to our meetings. Although there is nothing in our written doctrines injunctions forbidding the reading of the Scriptures in the meeting, it is the well established practice, belief and custom of the Friends not to do so. 14840

I never heard of the life of Samuel Bonus. I heard other things from Wetherald objectionable. The next I heard him was either at our Yearly Meeting or at the meeting in Portland, Maine. At this meeting at Portland he asked all those who considered themselves Christians to stand up, and all who desired the prayers of the meeting to stand up or to that effect. I did not rise up as I did not believe in such practices. A minister from England who was there refused to stand up and afterward explained that she considered herself a Christian but considered the doings contrary to the ancient practices of Friends.

I heard him also at the Yearly Meeting in Canada between '75 and '80, about '78 or '79. He and Jacob Baker, I think that was his name, from the States, had charge of the meeting, they had them rising up and down, and the sense of what they did was to ask them who wanted praying for to stand up. I believe it is a proper thing to pray for sinners if done in the proper way. The Doctrine was all right I presume, but the practices were not. They were urging the members to get up and speak, and one man who was speaking was told by Baker to sit down, that he was converted. I could see from what he said that he did not consider himself converted. 14850

I never heard Friends use such words as they did. I can't say what they did contrary to Doctrine. I don't think Friends have made a practice of carrying their Bibles to meeting, and that it is contrary to their practices to do so. It is often usual for Friends while speaking to quote passages of Scripture from memory. 14860

It appears on page 309 of the first Vol. of Fox's journal, that at the time recorded, then he had a Bible in his hand, but he took it there to shew to the wicked and unconverted that the Friends believed in the Bible.

At the Yearly Meeting of '78 and '79 they had practices contrary to the usage of Friends. They had singing which is contrary to the practice of Friends. Fox refers to singing on page 575 of the second Vol. of his journal. also on page twenty-eight of the first Vol.

Barelay's apology, page 378 refers also to singing. I consider him an exponent of Friends' Doctrines I would not object to singing if they sung with the Spirit and from the heart.

There have been also erroneous Doctrines introduced into the Church. Mr. Charles G. Bowerman of the Westlake Meeting has preached erroneous Doctrines about three years ago at some of our Week-day Meetings I think. I can't say exactly what he said. I remember at the time what it was that he preached contrary to Friends' Doctrine, but I don't remember exactly what it was now. He would preach a little and then pray a little, and some of the Friends Robert Saylor would say "Praise the Lord." It is contrary to Friends' practice to say "Praise the Lord" out loud, when another would be preaching. 14870

At the time Mr. Valentine objected to his Doctrine. Bowerman also read from the Bible that is contrary to the practices. It is not contrary to either speak or pray aloud if done in the proper way, but he did not do it in the proper way. I complained and spoke of it at different times.

If a person does anything contrary to the doctrine and usages of the church there is a way of dealing with him by bringing him up in the way prescribed by the Discipline. I did not have him brought up for doing so. 14880

A young man got up one day and was repeating a passage of Scripture when Bowerman ordered him to sit down. Bowerman was at the head of the meeting that day. This was contrary to the practice. As a general thing Bowerman had the most to say of any one in the meeting. My memory is not good enough to repeat everything he has said or done, which I considered at the time contrary to the doctrines and usages. These are all I can remember just now.

Young John Dorland a member of Westlake meeting, who married my wife's daughter, was guilty of preaching heresies in the meeting. One thing I heard him say that I remember, was that the Spirit of God never saved any man. I did not get up in the meeting and object to it, but 14890

I did after the meeting. I did not have him tried for it—nor take any steps to do so. I understand 14890
 he is now at Brooklyn. Westherald left the church I think in '80, before the separation. I don't
 remember now any other in the Westlake Monthly Meeting, who are members of it who have preached
 contrary to the doctrines and practices of the church, but others have come there who did so. The
 first of such that I remember of my own knowledge was Kenworthy who came from the States. He
 came with his credentials. I heard him preach at the Yearly and also at the Westlake Monthly Meet-
 ing. He said he would preach when he had a mind to and pray when he was a mind to, and that he
 did till the Lord told him to stop. I found fault with this proceeding. He preached on the resur-
 rection. That the natural body would on the resurrection be united with the spiritual body. I con-
 sider this contrary to the doctrines of the Society.

I recognize Lewell as one of the standard authors on Friends doctrines. On page 354 he refers to 14900
 the resurrection. I believe that we are provided with a spiritual body, not that we are united again
 with our natural bodies as we have them in this world.

The resurrection question is referred to on page 9 of the Discipline of '59.

I can't remember one quarter of what Kenworthy did say. I got so disgusted that I would sit out
 in my buggy rather than go in and hear him. I can't remember anything else particularly that he said
 that was objectionable.

Blackledge said that the silent meetings were a good place to cast interest in. He said it in de-
 Black- lision of old Friends. I considered this bad doctrine.
 ledge.

I have read of improper preachings and practices in the church other wheres. I refer to a pam-
 phlet entitled "Modern Quakerism Contrasted with the Ancient Type," marked Ex. "V." I believe
 what is said there is true. 14910

I have gathered a good deal of my ideas from what I have read as to the preaching of false doctrines
 and practices in the church.

I can't remember when I heard preached in Canada, the first error which is stated in the minutes
 Errors. of our first Yearly Meeting ("that Christ finished his work of man's salvation on the Cross on
 Calvary.") I can't say that I ever did hear it preached in Canada, or in the Westlake Monthly Meet-
 ings. I am not a minister and don't study up these things particularly. The most information I get
 is from reading what is preached by our Friends in the States and England.

This error, I believe is considered a fundamental error in the church. I can't explain in what the
 error consists. I was on the committee, and at that time it was likely explained, so that I under-
 stood it better than I do now. I think it is an error. 14920

The second error laid down ("That faith is a faculty of the mind to be exercised at will in accept-
 Errors. ing salvation on the ground of Christ's finished work.") The fundamental error that I con-
 sider in it, is that I consider faith is a gift of God, and not a faculty of the mind.

I can't say from memory whether faith is defined in our discipline or not.

I think I have heard this preached in Canada, I can't recollect by whom or where. I did not make objection to it at the time. I don't know that I heard it preached more than once. I don't think we can just have faith when we like. I can't really say whether this second error was ever preached in the Westlake Meeting or not.

The third error, ("That such an acceptance constitutes a Believer in Christ and a Christian.") I can't say that I really ever heard this doctrine preached in Canada.

14930

The fourth error. ["That such believers have the continuous indwelling of the Holy Spirit in such a degree as to justify them for vocal religious service in the Church at all times."]

By vocal religious service at all times I mean preaching or praying whenever it pleases the person.

That inner light is the same as the Holy Spirit it is the Spirit of God. A believer would have the continuous indwelling of the Holy Spirit. If he had such; if the Lord would open his mouth he Errors, could hold vocal religious service at any time.

I don't believe that there is such a continuous indwelling of the Holy Spirit in any man as to enable him at any time to hold vocal religious service.

I heard this in effect preached by Kenworthy. I believe some of the members of the Plaintiffs' Westlake Meeting think that they can get up and speak at all times. I don't remember anyone else, but Kenworthy preaching this Doctrine in the Westlake meeting. I won't say that I ever heard it preached in the Westlake meeting; that the Holy Spirit does not work in the heart of the sinner until after conversion or the acceptance of Christ. This is the fifth error. Ex. "W" is the minute book of our Quarterly Meeting.

14940

Ex. "X" is an old minute book of the Westlake Preparative Meeting.

It is on account of these errors and by reading an account of the way meetings were being held that I say errors have been creeping into the Doctrines of the Church.

I don't know of my own knowledge of the Pastoral Committee holding meetings, but meetings have been held I believe at four o'clock in the afternoon under the authority of the Pastoral Committee. If they hold these meetings they did so because the Yearly Meeting appointing them gave them authority to do so.

14950

I never separated myself from the Westlake Monthly meeting of Friends, but we separated ourselves from those who were holding meetings contrary to old Friends' Doctrines and Practices.

We do not meet with the Plaintiffs' Westlake Meetings. They won't act from old Friends Doctrines and Practices. They separated themselves from us on old Friends' Doctrine and principle.

We are a separate body from them and don't recognize them as True Friends. We claim that we are the Westlake Meeting of true Friends. I don't know that I can show anything in the writings of George Fox which says that majorities shall not govern.

Majorities.
Geo. Fox.

I was at the Bloomfield Preparative Meeting held on the 10th Feb., '81, when we were all together. That was the day we divided up. I think that meeting was closed when we made the arrangement that we were to meet separate and the hours decided upon.

14960

If worship is held at any Preparative Meeting it is held first and the business done afterwards. After the business the meeting is closed.

I can't recollect that the Preparative Meeting of 10th Feb. transacted any other business than that has just been read from the minutes. The Preparative Meeting I think was closed before any arrangement was made as to separate meetings. As long as the Preparative continued we were all one body. As soon as it closed the arrangement was made. I think that all the members being there and knowing the circumstances of the case, they had the right to make the arrangement that was made. I don't know that as a matter of strict right, according to the discipline they had the right to make any such arrangement that would be binding in the Monthly Meeting. We do not claim the premises on account of any arrangement made at that time, but because we claim that we are the True Westlake Meeting of Friends.

It seems to me that none of the Friends had gone out of the Men's Meeting, when Eliza Varney came in. I was there when she came in. I had not made up my mind to separate that day. I don't know what the other Friends had decided upon.

When she came in, as near as I can recollect, she said she thought the time had come when we should hold our meetings by ourselves, and that we would try and agree upon the hours at which each should hold their meetings. There was quite a little discussion about the hours. They did not seem willing to give up the hour that the meetings had been held at and we decided for peace sake to take other hours and 2 o'clock was mentioned for our first meeting. There was no dissension from that. The next question that came up was the making of fires. Robt. H. Saylor said that they would supply the wood and make the fires for a reasonable sum if it was not more than 5 cents a month. I am quite positive it was Robert Saylor. I thought from what he said that he was trying to make us tenants, but not a word was said about rent.

I said we would supply our own wood and make our own fires and pay for having the fires made. I don't know that there was anything particular further said. I don't remember Robt. Saylor saying that he had no unity with it and I don't think he did, nor do I recollect Mr. Valentine saying that he acted as though he owned the house. I don't remember Samuel Saylor, Joshua Dorland or Alexander Derbyshire saying that they had no unity with it. I think Derbyshire said something to the effect that it could not be the work of the Lord.

As near as I can recollect Wm. Valentine said now Friends we will not interfere with you nor you with us. I don't remember his saying that we are now two separate bodies as the Baptists, Methodists and Presbyterians. I am quite positive there were not such or such words mentioned. I could not recollect all that was said during this discussion.

After this I went out and some of the other of our Friends did also.

I think under the circumstances what we did was the only thing we could do. I think if we went strictly according to either Discipline what we did would not be legal. The other meetings held by us were held right along after this.

It might be said in a manner that the first meeting was not legal. In one sense I think our first

First Yearly Meeting was in accordance with the Discipline. In setting up a new Monthly Meeting ^{Meeting} the time according to the Discipline is fixed by the Quarterly Meeting. I think the Yearly Meeting fixes the time of all the meetings. I don't consider we set up any meeting. These meetings had already been set up, and we claim that we held our meetings as set up. 15000

I don't know that a Preparative Meeting can change the time or place of their own meeting or of their Monthly Meeting. I don't pretend to speak of the legality, but what we did was all we could do under the circumstances. The first Monthly Meeting was not probably held according to ancient usages. I don't know that a similar case ever arose in the Society. I never knew of similar circumstances arising in the Society. I don't pretend to say as to the legality of our first Yearly Meeting.

I could only think we had to set up the Yearly Meeting in that way.

The circumstances were different from anything I ever heard or read of. I never heard before of circumstances similar to what we were in. I don't speak of the legality of it. 15010

I did not see or hear any angry talk or discussion on the 10th Feby. at the close of the Preparative Meeting. I don't know as they asked us particularly to give up the old meeting house or that they asked any privilege from us in connection with it.

I heard Blackledge sing in the Yearly Meetings. I never heard any singing myself in the local meetings. When I say in my affirmation that they introduced singing into the meetings I mean that the party the Plaintiffs go with (those fast people) did. I mean that singing was introduced in the meetings by people they brought here.

Penitent bench. I mean by a penitent bench when they got a lot around to be prayed for and invite them to come forward to be prayed for. I never saw it used in the Westlake Meetings.

It may be that George Fox held meetings from day to day in the same place and that large numbers were added to the church. I think I have read that was the case. I believe customs have grown up in the church contrary to the teachings of George Fox. I don't believe in such customs. 15020

Protract-I don't think there is anything in our teachings and doctrines to prevent meetings being held from day to day if held in a proper manner. ed Mtgs.

I don't think at any meeting I ever attended at Westlake the payment of Ministers was advocated.

The partitions are not taken down at Bloomfield but they are at Leeds. It may be that it was not taken out then until after the separation. If it was it had nothing to do there I suppose with the separation.

Our Yearly Meeting of '82 was held a week earlier than ordinary, as it was thought to be a little late, Y. M. '82 and we did not know but that the other meeting would adjourn their meeting to be held then, held a week earlier. and we thought it best not to have them both at the same time. 15030

I believe there was a conspiracy or that they looked ahead in Oct., when the new Trustees were appointed and thought they would get the control of the property in their own hands. I don't

know that they thought at this time that there was going to be a separation. All we asked was that the old Trustees should be retained ; four of them were still living and two were dead.

When I refer in paragraph fourteen that at the meeting of twenty-first Oct., '80, that the resolutions were passed and proceedings had in their own exclusive meetings to which we were not admitted, does not mean that at the meeting at which the Trustees were appointed that we were not admitted. We were there and objected to the appointment. We were all together then; 15046
 for fifteenth paragraph would not be correct in that part where it says that the appointment was not made by the Westlake Monthly Meeting of Friends.

I don't think there was any discussion at a prior meeting about the appointment of new Trustees.

The former Trustees were mentioned in the sixteenth paragraph, and in addition to Lear and Ellsworth, two of the former Trustees who were dead. I don't think Hallantyne had been disowned at this time. Vincent Bowerman is an old man over ninety I hear say but quite active. Ed. Cronk is a man upwards of seventy. He has been sickly for some time, but usually able to get out to our meetings. Wm. Garratt is an old man ; I am told eighty-six years old. Wm. Valentine is seventy six years old I believe. James McTaggart, Richard Vermilyea and Samuel Bonesteel had been Trustees. 15050

By referring to the minutes of the eighteenth March, '75 Monthly Meeting the three last Trustees had been relieved from the Trustees in consequence of their belonging to another Monthly Meeting. 15060
 Three Relieved
 8th Mar.,
 1875.

I don't know that at the time of the appointment of the old Trustees mentioned in the sixteenth paragraph, if my affirmation that any of the Trustees were still living. If they were I don't think that they were superceded.

I understood at the time of the separation that there was a debt of about \$50 or \$55 on the Church premises. Neither myself nor any of our party that I know of contributed anything towards the payment of whatever debt there was.

I don't know when the meeting-house was re-built. I can see by its appearance that it has been built over. It was formerly frame ; it is now bricked over. 15060

I took some part in trying to get into the meeting house when it was fastened against us. I attended at the meeting house on Sunday, 24th. I had heard before that they intended closing the meeting house but did not learn the day it was done. Can't say from whom I learned it. 15070

When we went on Sunday some of our Friends took some instruments with us to get in if it was closed. I took a hammer and a screw driver. We had taken legal advice before and were told to go in if it was fastened against us. We had taken advice from Mr. Allison. I think we had taken advice from him the day before, and we went that day with instruments such as we thought sufficient to effect an entrance should it be closed against us.

When we went on Sunday we found the gate locked. We opened it. Stanley White opened it by breaking the clasp in trying to pull the staple out. 15070

When we reached the building we found it fastened and several standing on the platform and I saw

Robert Taylor and John Cronk at the upper window inside. They were asked to open the door. Cronk said they could not do it. I think Mr. Valentine took the nuts off the strap hinges on the door and I took hold of it with some others and pulled it open, the strap hinges being off. We went in, Mr. Valentine first and myself second. No violence was offered any of us by any of the parties inside. We all came in and sat down. Abram Saylor appeared then. Both he and Robert Saylor said several times there will be no meeting here this afternoon. I reminded them of the penalties for interfering with meetings for public worship, and told him that it reminded me of the persecution in old times. He said he was doing his duty and appeared to be taking down names.

15080

They then went out into the hall and during a good part of the meeting kept talking and hammering. We found the door on its hinges when we went out. No doubt the putting the door on its hinges caused some of the hammering. When I came into the hall after our meeting was over I found Andrew Wycott in the hall apparently quite cold. I understood from him that he had been kept outside of the house by those parties.

There was speaking in the meeting by one of our ministers. No reference was made during the meeting of our being locked out, except what was said at first to the Saylor.

When I went away, I remember Robt. Saylor and John Cronk being there.

We were not notified at this time that there would not be any week day meeting. We heard they were going to keep us out, and on Wednesday the 27th, when we went, we went prepared.

15090

The meeting on Sunday was at the usual hour. (2 o'clock) that we had been holding our meetings at for nearly two years. They had been held at that hour on the first day since the separation.

I don't remember that anything was said on Sunday about the week day meeting. I had said before Wednesday that we intended going in. On Wednesday there were some people with us who did not belong to the Society. We often have such people attend our meetings.

All the defendants were there, except Walter Leavens on Wednesday. I did not see him on that that day, but he was there on the Sunday before.

I don't think Walter Leavens, S. M. Outwaters, Ralph P. Jones, Nathaniel Sweetman, Walter S. Varney or John Stanley White belonged to our Monthly Meeting, or were members of the old Westlake Monthly Meeting before the separation.

15100

On the fourth day I took with me a small crow bar, a hammer and a screw driver. I don't remember seeing an axe there. I think I did a wrench. I found the gate fastened with a chain and staple. I pulled out the staple with the crow-bar. I brought it principally for that purpose. I expected it might be fastened. After opening the gate I put the crow-bar in the cutter and drove to the house. I took the crowbar from the cutter for the purpose of pulling one of the hooks that the strap hinges hook on. They told me there was no use trying that as the bolts went through to the inside and were fastened inside. I then went round to the window to try and raise it with the bar.

I put the bar under first one corner and then the other of the window until I got it so I run it through in the middle under the window. As I raised up the window a bit with the bar three of them

inside jumped up and in trying to pull the window down they pulled it right in on them; as they did 15110 so I sprung on to the window sill to go in on my breast.

I had a bench to stand on. The windows are quite a height from the ground. My legs were on the outside as I sprang upon the window. I stuck to the crowbar. Someone caught hold of it from the inside and tried to pull it away from me. I don't know but Garratt may have caught hold of it for a minute to prevent its being pulled away from me. As I was on the window Abraham Saylor came at me with a piece of iron and gave me a couple of punches with it in the breast and tore my coat. I should think the piece of iron he punched me with was about three feet long, about one quarter wide, and I should judge one-half of an inch thick. I won't say it was not the poker used in the meeting-house. It hurt me considerably afterwards. I got the poke in the breast immediately after the sash was pulled in. When the sash was pulled in I don't think more than one or two of the glasses was broken. After I got the pokes with the bar of iron they on the inside jammed the sash up in front 15120 of me when it was badly broken.

I shoved the crowbar quite a bit through under the window and raised it up about six inches.

I told Saylor when he punched me with the iron that if he did it again I would punch him with the crowbar.

I did not put the bar at any time through the sash nor did I through any of the panes out of which the sash had been broken. When they shoved the sash up in front of me they may have done so against the end of the bar which I had in my hand, and it may then have gone through it. They tried to shove me out of the window with the sash. When they did so I was shoved back and some of the people outside caught hold of it and tried to pull it out when it was all broken up. Abraham Saylor after the window was all broken, when I was trying to get in again pushed 15130 me with a piece of the sash. Someone called to me that the back door was open and I left the window and went to the door and found it open. I noticed afterwards that one hinge was broken and the other pulled out.

It was right after the sash was pulled in that I got the punches with the bar from Saylor. It appeared as though they had been standing on a bench when they were trying to pull it down and as it gave way they went backwards off the bench. The sash was down long enough for them to punch me. After the sash was out they jammed one or two benches against the window.

We had no notice or knowledge that they intended closing the house against us on the first day. I Notice. think I heard that John Cronk had said it might be locked against us most any day, and I took J.Cronk. the precaution of taking the hammar and a crew driver with me for fear they might do so on that day. 15140

It was not intended to break the hasp of the gate—it was broken in trying to pull it out.

There was talking and hammering during the meeting. Whether they did so to disturb or break up the meeting I don't know; I think there was more hammering than necessary.

No arrangement for Week ly Meeting. At the time the arrangement was come to on the 10th February. I can't remember whether any arrangement was come to or anything said about the week day Meeting. There was not to my own knowledge any express agreement as to the 4th day meeting, as referred to in the 22nd

... of my attention. I was
We had held our meeting there
to me that I was puzzled off the
It is important to note that
a mistake in writing or copying is
produced by the use of the typewriter
(Our party did not agree for a
and about it.
Enclosed in this letter is a copy of

(in your examination)
T. J. says who opened the door on the fourth day, but needed a key
and key on the door. I look at the door in
The person referred to in the 2nd paragraph of my at
was a good plan to see that it was Black. The
the fact that I found it was under a building for over 200 years, and
what they ought to have agreed was Charles J. ...
to the fact of the meeting. This was not said at a meeting but at my own
Barney's argument on points of fact. I think Barney was right in
because his book is absolutely correct in every respect. It is
over. The fact that he has been in the years as to those in the
followed and so the fact that they have described their way and
that I was a third down collar but I did before I found the money in
business they have changed their views as they have changed their money.
industry which is what has been. I do not understand I understand
of it and I do. The change in their dress cannot be
because it is not in the way of wearing their
I don't know that I am a stranger, but the rules in my
I have not understood it at all.
I don't know that I can recall any other matter
and I believe that I believe I believe in my

paragraph of my affirmation. I don't now recollect any such, but I heard some of the Friends say there was. We had held our meetings then to their knowledge on that day for nearly two years. It almost seems to me that I was pushed off the window with the piece of sash.

If it is stated in my affirmation that any of the Defendants stuffed the stovepipe full of mats it is a mistake in writing or copying it. It was intended to be an allegation that the Plaintiffs did. I saw the mats pulled out of the stovepipe after we got in and tried to build a fire.

Our party did not agree nor was it understood that we were to become tenants. Not a word was said about it.

Enlarged till 30th inst., 10 a.m.

30th January.

PRESENT AS BEFORE.

GILBERT JONE'S examination resumed.

I can't say who opened the front door on the fourth day, when I reached it the catch was off and lying on the floor. I took no part in forcing open the front door.

The person referred to in the 23rd paragraph of my affirmation as saying that a silent meeting was a good place to cast interest in was Blackledge. The person referred to in the same paragraph as saying that the old friends had been under a delusion for over 200 years, and had not experienced what they ought to have experienced was Charles G. Bowerman an Elder, and one who usually sits at the head of the meeting. This was not said at a meeting but at my own house. We got into an Barclay argument on points of Doctrine. I think Barclay was inspired the same as Fox was. I believe his book is absolutely correct in every respect. It is possible he might have had one little error. There has been departure of late years as to dress. Mr. Bowerman used to wear a straight collared coat and so did Robert Saylor. They have discarded them now, and wear the turned down collar. I wear a turned down collar, but I did before I joined the Society and did not change. I presume they have changed their views as they have changed their clothing. I wear in summer the ordinary straight brim hat. I don't consider I transgress the rules of the Society in wearing the collar of my coat as I do. The change in their dress caused people to remark about it. I don't say that there is anything particularly wrong in wearing their collars in that way, but I do that they changed. I don't feel that I am transgressing the rules in my wearing my coat as I do, or that I did in not changing my dress when I became a member of the Society.

I have not attended many of these fast meetings and cannot say what their proceedings are exactly. I don't know that I can recall any other matter in which they have transgressed the Doctrines and Practices other than those I related in my examination the other day.

In explanation.

We have held our meetings in the Town Hall since the meeting-house was closed against us, we had to procure another building.

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I used to attend this meeting house before I was set off to Cole Creek for I should think about fifteen years, commencing about thirty years ago. At that time we were all members of the one meeting. Our meeting house cost something to put up and to maintain and I had, I suppose, a pecuniary interest in this meeting house at the time we were locked out, and we have had to be at the expense of procuring another.

I should judge the epistles from one Yearly Meeting to another are usually sent by mail. I think correspondents or a corresponding committee are appointed at each Yearly meeting to draft the correspondence and I think it is to them that committee epistles from other Yearly bodies are sent. I can't say from memory who the corresponding committee in '80 was. 15190

The committee appointed in '80 are all on the side of the Plaintiffs—the fast ones. Any correspondence, I should suppose, coming after that during that year and until the next committee was appointed would come to them. The correspondence coming after '80 would come to their own meeting. I can't say for certain what the practice is as to writing and receiving correspondence. I believe the Correspondence Committee draft the epistles to be sent to other Yearly Meetings. They are brought up in meeting and after being approved the Clerk is directed to transcribe them and send them off. The Clerk of the Yearly Meeting of '80 was, I believe, Howard Nicholson. See page 5 of minutes of '80. I did not attend and don't know who was the Clerk of the Plaintiffs meeting of '81. I see by the minutes of that year, page 5, that Howard Nicholson was re-appointed, both he and John T. Dorland, Assistant, belonged to the fast ones. 15200

I recollect aright the Pastoral committee came to be appointed in this way: a committee was appointed at first to visit remote Friends. They were not called Pastoral Committees at that time. There is no provision in the old Discipline for the appointment of a Pastoral Committee. I can't say when the first Pastoral Committee was appointed. It was before '80. They gradually increased their powers, which was objected to by the old Friends. They afterwards gave them power to appoint meetings and hold a series of meetings. Most of the old Friends who held to the old doctrines were opposed to the appointment of a Pastoral Committee and the powers given them. What we objected to was the powers given to such committees as appears on page 11 of the yearly minutes of '81 of the Plaintiffs, as now read to me. 15210

The committee appointed on page nine of the Plaintiffs' Yearly Meeting of '80 to inquire into the titles of property were of course all belonging to the Plaintiff's party. I understand the new Lights have also appointed new Trustees of the Pickering Yearly Meeting property.

Joshua M. Richardson was one of the Trustees in the original deed of this property. I see they have dropped his name and put one of their own party.

I see by the minutes of the Yearly Meeting of '81, that they changed the hours of a number of the meetings from eleven to ten. It shows also that a Preparative Meeting was also established by the Westlake four Months' Meeting.

On page seven of the same minutes a Yearly Meeting Treasurer is appointed.

The Pastoral Committees' report is on page fifteen of the minutes of '81. 15220

On same page it appears that a subscription was taken up to pay the expenses of this Pastoral Committee amounting to \$127.58, and a Diamond Ring; also on page thirty-eight and thirty-nine the matter is referred to. This had never been done before to my knowledge.

On minutes of Plaintiffs' Meeting of '82, pages ten and eleven, the appointment of a Pastoral Committee is referred to, and that a subscription was taken up to pay the expense amounting to \$425.

On page nineteen of their Yearly Minutes of '81 a resolution is approved of to appoint a standing Nominating Committee in future. I never knew of such a thing before. I believe it was done for the purpose of having all persons thereafter appointed as partizans of their own party.

The Pastoral Committee nominated on page twenty-seven of minutes of '81, were all of the fast ones.

Even at the Plaintiffs' Meeting of '81 there was still a number of old Friends still attending from 15230 places where there had been no separation these proceedings were taken by the Plaintiffs' party to shut them all out of the management of the affairs and get it all in the hands of the fast ones.

On page nineteen of Plaintiffs' Yearly Minutes of '81, reference is made to the disownment of certain members without further care. I never knew this to be done before.

The ordinary process of disownment is laid down in the Discipline and I think a Committee is appointed to labor with the parties and see if they cannot convince them of their errors apparently in '81, this course was not adopted by the Plaintiffs' Meeting.

I produce the only notice I received in connection with my disownment. Marked Exhibit "Y."

On page 7 and their yearly minutes of '82 appears a report of the Committee on Titles appointed the year before. 15240

On pages 7 or 8 of minutes of our Yearly Meeting of '81 appears the hours fixed for all our meetings.

I was brought up a Friend. Have always attended their meetings more or less. I will be 66 next month. I can recollect when a very little boy of Friends' meetings being held at our house. I don't think there is anything in the Discipline which enjoins the reading of the scripture particularly except in the families. There is nothing in the Discipline which enjoins the reading of them in meeting.

On pages 375, 378, and 380 of Barclay reference is made to singing—preaching—and praying. I have not attended any of their Revival Meetings. I have been present at the Yearly Meetings when Friends have been asked to get up and speak. I understood what they called conversion that if they believed the Lord would forgive them their sins would be forgiven.

My idea of conversion as heretofore believed and preached in the Society, appears on page 12 of the 15250 Doctrines and Ministry of George Fox, marked "Z" which I now produce. Conversion as I understand it as believed in by Friends has always been gradual. Never to my knowledge until late years have either Revival Meetings or the doctrine instant conversion been preached or practiced in the Society, and only by the fast ones.

I was on the committee of '81, which was appointed to look into the errors which had crept into the church.

The errors numbers 2 and 3 appearing in the minutes of our meeting of '81. I should judge were

directed to the practices adopted by the Plaintiffs' body of Revival Meetings and the doctrine of instant conversion.

The Discipline does not contain all the doctrines believed in by Friends. There is a good deal more 15260 contained in Friends' writings which we believe, or that is not contained in the Discipline.

The Yearly Meeting holds its yearly meeting property at Pickering. I obtained a certified copy of the Deed—which is produced marked Ex. "A." It is recited that it is held in trust for the Yearly Meeting of Friends in Canada who conform to the Discipline of '59 which our Yearly Meeting does.

I am not aware of any other Yearly Meeting in Canada that does.

These fast ones have got another. There is no other Quarterly, Monthly or Preparative Westlake Meetings but our own who, hold to the Discipline of '59, and we are the only ones subordinate to the Yearly Meeting in Canada which holds to the Discipline of '59.

I was not here at the time of the appointment of Trustees at Westlake before the last. I have seen the record of it in the minutes. I think two of the old Trustees were set off to Cole Creek and 15270 were Trustees of the property there and that some of them were dead.

I don't know of any active duty the Trustees would be called upon to perform. I have no recollection of anything that they have been called to perform which would require them to be men of vigour.

The first I heard of any intention to exclude us from the meeting-house was from C. G. Bowerman. He said he had told Terwilligar not to open the house or give any one the keys without his authority.

I heard nothing more until I heard the rumors just before we were locked out.

No formal notice was served that I am aware of. There was no message sent from one party to the other that I know as to their respective rights in the meeting-house.

I never heard in the rumours any special time that the house was to be closed.

15280

I am not aware that they were notified before the suit began ; that we had the sole right to the meeting house or that we had the right to exclude them.

Scott, Kenworthy and the others I have mentioned were Ministers I believe, came their with credentials. They were received by the fast ones and they were encouraged and supported by them.

I opposed very strongly the adoption of the new discipline, and I learned what took place in the Women's Meeting. I never heard of a similar case as that. I don't think they had any power under the Discipline to do as they did—go back and organize a new meeting and pass the Discipline.

The Discipline of '59 was in force here since its adoption in '59. It was the same Discipline as was adopted here in '67.

The foreign bodies with whom our Yearly Meeting are in correspondence are then in similar cir- 15290 cumstances to ourselves, I believe. I know so from reading Friends' literature and papers and from

negotiation with other friends. I attended meetings of the Western Yearly Meeting. The same condition as we were in before the separation here—not here alone. An hour as I can by reading this was the case in other Yearly Meetings.

There has been actual division in the Iowa, Kansas and Western, and in the others of exists but they have not yet resulted in separation.

correspondence with the Kansas, Iowa and Western Yearly meetings. They hold the same doctrines and practices that we do—the doctrines and practices of old Friends. The Friends are in correspondence with the other parts of these meetings who are in sympathy with the fact here.

They don't hold the meetings according to the old practices of Friends, and there has also a departure, I believe in the old doctrine of Friends.

I was at the Yearly Meeting of '80. I remember that matter of the new Discipline coming. I think in '78 there came down a proposition or request from Polina Quarterly to revise the Discipline. Mention is made of this on page 7 of the minutes of that year. There was quite a large committee appointed on it. That committee reported in '80—(see page 17 of minutes of that year). Nothing was done by that committee, except to report. There was no formal method adopted. I remember up the adoption of a new discipline. Thomas Clark was one of the three appointed in the Representative Meeting of the year before '79. When the matter came up the next year in Representative Meeting and if the new discipline was to be adopted there were several changes that should be made but Herbert Nicholson and others seemed determined to adopt it as it was without any alteration. There was considerable discussion and confusion about it.

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I think Friends were originally appointed for life or as long as their conduct was agreeable. I don't know whether this was in the Discipline or not, but it was the practice. I never saw Friends as Elders.

If we had continued to meet together we would not have a voice at all. They were a their own friends to everything and acting in a manner we could not put up with.

Harriet Jane Cary was the Clerk of the Women's Yearly Meeting of '80 and I see that she is still of their meeting. My wife was the Assistant Clerk of that year and she is now Women's Yearly Meeting.

I don't remember whether any of the minutes brought by any of these friends was objected to, nor whether any question was raised giving them a voice.

conversation with other Friends. I attended meetings of the Western Yearly Meeting. They were in the same condition as we were in before the separation here—not harmonious. As near as I can learn by reading this was the case in other Yearly Meetings.

There has been actual division in the Iowa, Kansas and Western, and in the others dissension exists but they have not yet resulted in separation.

We are in correspondence with the Kansas, Iowa and Western Yearly meetings. They hold to the same doctrines and practices that we do—the doctrines and practices of old Friends. The Plaintiffs are in correspondence with the other parts of these meetings who are in sympathy with the fast ones here.

15300

They don't hold the meetings according to the old practices of Friends, and there has also been a departure, I believe in the old doctrine of Friends.

I was at the Yearly Meeting of '80. I remember that matter of the new Discipline coming up. I think in '79 there came down a proposition or request from Pelham Quarterly to revise the Discipline. Mention is made of this on page 7 of the minutes of that year. There was quite a large committee appointed on it. That committee reported in '80—(see page 17 of minutes of that year.) Nothing was done by that committee, except to report. There was no formal method adopted to bring up the adoption of a new discipline. Thomas Clark was one of the three appointed in the Representative Meeting of the year before '79. When the matter came up the next year in Representative Meeting said if the new discipline was to be adopted there were several changes that should be made but Herbert Nicholson and others seemed determined to adopt it as it was without any alteration. There was considerable discussion and confusion about it.

15310

Clark and I opposed it, and a good many others whose names I don't remember. I never saw an act similar in a Yearly Meeting as the manner in which the clerk, Howard Nicholson carried this thing through. After hearing the objections or some of them he said it is the prevailing opinion of this Yearly Meeting that this matter should carry and wrote it down as carried.

I think elders were originally appointed for life or as long as their conduct was agreeable.

I don't know whether this was in the Discipline or not, but it was the practice. I never knew Elders being appointed for three years until it appears that they did in the Plaintiffs' Monthly Meeting of 17 February, '81. It looked to me as though this was done to enable them to appoint their own friends as Elders.

15320

If we had continued to meet together we would not have a voice at all. They were appointing all their own friends to everything and acting in a manner we could not put up with.

Harriet Jane Cady was the Clerk of the Women's Yearly meeting of '80 and I see by the minutes that she is still of their meeting. My wife was the Assistant Clerk of that year and she is now of our Women's Yearly Meeting.

I don't remember whether any of the minutes brought by any of these foreign ministers to Westlake was objected to, nor whether any question was raised as to giving them a return minute.

It was spoken of in '79, I think, about adjourning the meeting to somewhere else. There was a talk about its being legal. I don't mind whether I said aye, yes or no about it. When it was brought up again in '80 I don't remember whether there was any formal objection. 15330

To Mr. CLUTE:--

On page 14 of Yearly Minutes of '67, it appears that James Richardson and Thomas Reesor were appointed correspondents.

It appears on minutes of Yearly Meeting, '71, page 24 that Mr. V. Richardson was appointed correspondent, instead of James Richardson, deceased.

It appears by the minutes of '80, page 30, or it is alleged that the former correspondents having requested to be relieved. Thomas Walker, Christopher Dab and Robert H. Saylor were appointed to that service. They are all fast ones.

I should think they would be the persons to receive the correspondence from other Yearly Meetings. These correspondents are not the same as the committee on correspondence, whose duty it is to prepare and write correspondence, to be sent to Foreign Yearly Meetings. 15340

(Signed), G. JONES.

WILLIAM VALENTINE, affirmed—I have made an affirmation in this matter. I am in my 77 year.

I have been a member of the Society of Friends ever since I was born, except it may be considered I was not while I was disowned for a short time.

I don't consider that I was then not a member as I was reinstated by the June Quarterly of '80. The disownment was at a Monthly Meeting of '79, first month. I appealed to first Quarterly Meeting in the sixth month, '79. They reported in my favour in the following quarter. I was finally reinstated in June, '80. 15350

I heard the affirmation of Mr. Jones read over before I made mine. I have also been present here every day during his examination, and I agree to such parts of his evidence as I know to be true, and it is principally the whole of it; more particularly I don't know of my own knowledge all that took place in connection with the building. I did not attend all the Yearly Meetings. I went to the Yearly Meeting of '78; whether I was a representative or not I can't remember. There was one thing that occurred at the Yearly Meeting that I did not like. It was in connection with the two reports that came in from the Pelham Quarterly. What I did not like was the adoption of the one report, and the rejection of the other. Friends have the liberty if they don't like what takes place at any meeting of getting up and leaving. I did leave at this time and several other Friends left also: Gilbert Jones, Allen M. Dorland, Levi Varney, John Croure. I don't recollect any others now who left. 15360 They all expressed their objection to sitting longer in the Yearly Meeting in consequence of what had been done there. Ever since things have been going from bad to worse in one sense till '81, when we separated. I don't call one leaving the Yearly Meeting a separation. I consider the separation took place in two month, '81. We were in sympathy with those Friends in Pelham at this time. We thought the separation would have to come, but took no definite action for some time.

It was at my place the separation was first talked of, immediately after a Quarterly Meeting held 8th July '81. The Friends met at my place in the evening after the meeting.

I was there; Mrs. Valentine, Mrs. Varney. I don't recollect Mr. Varney being there. Lidia M. Haight, Elizabeth Haight, Sarah Maria Ellsworth—I think Thos. Robinson, jr., Matilda Branscombe, Sarah Leavens, Daniel Haight. I cannot at present remember the names of any others.

15370

They were invited to come there and see what could be done in the present situation of the Society. No chairman was appointed. It is not customary. No one took charge of the Meeting. They were simply called to consult upon the deplorable state of affairs that the Society had got into. One of the deplorable things was the adoption of this New York Discipline. Another was the preaching of unsound doctrines. I understood the Discipline was the one adopted at the Yearly Meeting of '80. I did not intend to stand by the action of that Yearly Meeting in what they did in that respect.

The unsound doctrines we complained of were, first and most offensive, the denying the immediate operation of the Spirit of Christ on the heart of man, which is the fundamental doctrine of Quakerism.

The first who I heard preach this heresy was Elder Scott from Indiana, I think. He came with credentials. I think. He preached this in Bloomfield in '75.

15380

I believe in the doctrine of the immediate operation of the Spirit of Christ upon the heart of man. I believe in a sudden conviction but not in sudden conversion. It depends upon how he attends to these convictions how soon he becomes converted. If he yields with all his heart and mind his conversion will not take long. We cannot judge how fully a man is converted except by his daily conversation, walk and life.

This was the principal heresy or false doctrine preached by Elder Scott.

Barclay Jones preached very similar doctrines about the same time. He preached one day at Bloomfield.

The next I remember was Stephen Cortland. I think it was in the fall of '78. He did not preach it but told me so at my house. His preaching tended that way. He did not preach it out in the same way but his preaching tended in the same way as Elder Scott's.

15390

Another was Noah McLean, who was here in '77. I heard him five or six times. On 21 August, '77, another was read by me after the the meeting was concluded, or the service were all over and just about to close. Notice produced marked Exhibit "B."

McLean had a legal right to hold meetings provided he conformed to our usages. He held them totally contrary to our usual manner of holding meetings. He had singing—a mourners' bench—he had continuous preaching and false doctrines, that repentance meant a forsaking of our sins. This does not constitute repentance. It is a godly sorrow for sin and asking God for forgiveness,

Repentance includes forsaking our sins. The forsaking our sins is an effect following our repentance, but forsaking our sins does not constitute repentance.

1540

I was not permitted to read the notice without interruption. McLean did not object or interrupt. I got up to read it when Charles G. Bowerman commenced to preach in a loud voice. I waited till he

got through and commenced to read again. I read in an indistinct manner, and threw the papers towards them. The light was not very good, and McLean told me to come up by the light, which I did and read it through. As soon as I read it I tried to go out. McLean obstructed the passage I was going out by: I tried to push his hand away as he had hold of the railing obstructing the passage. I stepped up on the seat to go by him; he said "let us pray" and threw himself forward on his knees in the passage. As I was stepping by him he caught hold of my leg and put his chair across my knee and held me fast. I took hold of him by the wool or tried to pull his head away, the wool was too short or too greasy, or perhaps both.

1541

I then put my other knee across his neck. He then let me go, and I walked out. It was a scene in which no proper Minister of the Gospel would be engaged in. I afterwards brought him up before a Magistrate and in a moment of weakness I withdrew the proceedings.

One of the charges brought against me afterwards in the meeting was in connection with this matter of his arrest. It was upon this and other charges that I was disowned by the Monthly Meeting.

Amos Kenworthy also preached false Doctrine. I think he was here in '80; also Joseph Blackledge in '81; also Stratton in '81.

All these I have named were from the States: Kenworthy, Blackledge and Stratton, all preached the same Doctrine. That it was not necessary to wait for the operation of the Spirit to either preach or pray.

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Of the members of the Westlake Meeting I have heard Charles Gideon Bowerman preach false Doctrines. He fell in at once with the Doctrines of their Ministers and commenced to preach them about that time. I think he was brought up before the Ministers and Elders' Meeting. I am not a member of this meeting, and I don't know what took place of my own knowledge.

After McLean had gone, or about that time he got up and said it was not necessary to remain silent five minutes, nor one minute. He said also that repentance consisted of turning about and forsaking our sins. He denied that it was necessary to wait for the operation of the truth in our hearts to speak in meeting. I don't know that I can recollect anything else. These are the false doctrine I refer to. I did not make any public exposure. I never made any objection to them in any meeting, but I drew the attention of the ministers and elders in a Monthly Meeting to the false doctrines that were being preached. I did not name Mr. Bowerman. That is not our custom.

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I don't know that any other of the members preached false doctrines.

I did not approve of this sort of thing, and in consequence of what was being done in this way and the difficulty connected with the new Discipline—we held the meeting at my place. I referred to at the beginning of my examination.

We were perhaps an hour in discussion that night before we decided to separate.

We decided that we should withdraw from them and hold our meetings separate from them. It was not the first time we debated that question. We meant to hold distinct meetings throughout—and to hold Preparative, Monthly, Quarterly and Yearly Meetings according to the practice of Friends. I don't consider that we withdrew from their meetings. We decided to withdraw from them and hold

1544

our meetings separate. It was not discussed as to the appointment of new officers, that we could not continue those who were the officers as they all belonged to the aggressors.

The new officers would follow as a matter of course. We did appoint a new clerk and overseers.

We intended this withdrawal to apply to all their meetings. We did not intend to have anything further to do with them, except to live in peace with them—if we could.

We did not intend to recognize them as belonging to the Society of Friends. They are all yet nominally members of the Society, but we don't look upon them as Friends, but we have not seen the time yet to disown them. We have in effect been separated, but are nominally not. If they would recognize their errors and turn away from them we would receive them.

We concluded that night at my place to withdraw from them and hold our separate meetings. I 15450 don't think any time was decided upon, but it came in order at the next Preparative Meeting held two days after.

I attended this Preparative and stayed there till it was closed. I think Robert H. Saylor was clerk then. After it was closed Eliza Varney came in and said that as we could not continue together we would have to withdraw from them, and hold our meetings separate from them, and would give them the choice of hours on first day. This was the effect of what she said—if not the words.

We gave them the choice of hours. I think C. G. Bowerman and Derbyshire said they would Meet- keep to the old hours. Two o'clock was the hour selected for us. The week day meeting for ings. us was decided upon for the fourth day, as they said they would hold to the old day. I am sure 15460 the week day meeting was spoken of and decided upon.

I know nothing in our constitution or discipline of two Preparative Meetings being held on the same day. We had come out not intending to hold a separate meeting that day—intending to wait for the Monthly Meeting, but some of the women thought it would not be right, so those of us who remained went back and held the first Preparative Meeting. Some of them had gone away. I went back—Amos Bowerman, Levi Bowerman, I think Levi Varney, Mrs. Varney, Mrs. Valentine, Mrs. Branscombe did also. I can't recollect the names of any more just now. It is not usual to hold a Preparative Meeting in joint session as this was.

All who were appointed representatives to our Monthly Meeting were there.

At the first Preparative Meeting that day, we allowed them to do as they pleased, and I have no 15470 doubt they appointed representatives to the Monthly Meeting. This meeting was a continuation of the Preparative Meeting of the month before, and was the only Preparative Meeting held at this time. Our Preparative Meeting held in the afternoon was not a continuation of the one in the forenoon. The one in the forenoon, I consider was a continuation of the one held a month before. I think I attended the one held the month before. Our meeting I also consider a continuation of the one held a month before. There was no separation at the previous meeting.

The Preparative Meeting that forenoon was made up of the meeting for worship, and afterwards of the business meeting, as is the custom of all such meetings. That meeting was closed.

Such a meeting as we held afterwards was not in accordance with the directions for such meetings as laid down in the Discipline, but in such cases in emergency we took the liberty of going contrary to the established rules. That meeting was held contrary to established rules and Discipline. 15480

A similar occurrence took place at Bloomfield in 1828, when the trouble occurred with the Hicksites. We were obliged to wait until they got through and hold our meetings afterwards.

The Hicksites are not recognized by the Orthodox Friends in New York. There was a separation in New York between the Orthodox Friends and the Hicksites at the same time. We remained in unison with the Orthodox Friends there.

We have not as a Yearly Meeting corresponded with the London Yearly Meeting.

We did not intend our Monthly Meeting to which we appointed delegates to be the same Monthly Meeting to which delegates had been appointed in the forenoon. We intended it to be a Monthly Meeting of the Friends who agreed with us. 15490

I attended the Monthly Meeting it was at the regular hour but not at the same place. Our Preparative Meeting had decided to meet at Bloomfield instead of Wellington for the Monthly Meeting.

Previous to the separation the Westlake Monthly Meeting was made up of the Bloomfield and Wellington Preparatives.

Our first Monthly Meeting was made up only of the Bloomfield Preparative Meeting as a meeting, but many of our friends attended from Wellington.

I think in 1828 there were similar irregularities.

I don't know that any of our Friends were shut out of the Wellington Preparative Meeting but they were so few and weak that they did not consider themselves strong enough to hold a separate Preparative, so many of them attended our Preparative. 15500

I think great majority of that meeting were in favor of the Plaintiffs, the aggressions. I don't know that they had a numerical majority.

We intended to ignore the Preparative Meeting at Wellington as it existed. We do not consider it is contrary to the Discipline as we do not recognize them as Friends.

The labor spoken of in the Discipline is personal labor with Friends.

According to the Discipline our Monthly Meeting was as irregular as our Preparative.

I don't think that a Quarterly Meeting was discussed at this Monthly Meeting before the Quarterly it was discussed, that would be in the 5th month.

The delegates appointed at this Monthly Meeting were to attend our Quarterly Meeting. We had withdrawn all our meetings. We intended to hold our Quarterly Meeting at the same time and place as the Quarterly Meeting had always been held but at a different hour. This was decided upon at the Monthly Meeting. I do not understand by our Discipline that a Monthly Meeting could change the hour of meeting of a Quarterly Meeting. It was held as it was in consequence of the emergency we were in. 15510

We appointed a Clerk the first thing at the Quarterly Meeting; his time had expired.

We recognize the Yearly Meeting of '80, as the Yearly Meeting of Friends in Canada. According to the Discipline of the church the acts of the Yearly Meeting are binding upon the subordinate meetings.

I never knew of a Quarterly Meeting rescinding the acts of a Yearly Meeting, but I knew in 1828 of a Monthly Meeting disavowing the acts of a Half-yearly Meeting, which was the highest meeting we had then in Canada.

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I think there were representatives from Cole Creek Monthly meeting at our Quarterly Meeting in 5th month. This Quarterly Meeting assumed to rescind the acts of the Yearly Meeting of '80 in connection with the new Discipline. I don't know that there is anything in the Discipline against it. We made up our minds that we would not recognize the Yearly Meeting of the Plaintiffs but would hold one of our own.

The Monthly Meeting of Cole Creek was held in Thurlow to which delegates were sent to our Quarterly. Cole Creek Monthly Meetings had been held before at Cole Creek and Huntingdon.

They were obliged to hold it at different places in consequence of the separation. Their meetings were held at the same hour and days but not at the same place.

In '80 the Quarterly Meetings of Westlake, Yonge Street, and Pelham constituted the Yearly Meeting and do yet, but Yonge Street has not reported to our Yearly Meeting yet.

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I am not aware of any correspondence as to where we would hold our annual meeting. I am not aware that it was ever contemplated holding it any place else but where it was held.

We ignored the action of the Yearly Meeting of '80, as to the holding of the next Yearly Meeting. We decided at this Quarterly Meeting to hold our annual meeting at the usual time and place.

I know there was correspondence with our Friends in Norwich, and I think at Yonge Street, as to the holding of our annual meeting. I think Levi Varney did the correspondence. I don't remember that I did any of it.

It appears by the minutes of the Monthly Meeting of June that a proposition had been made by that meeting to Friends, by correspondence to hold a Yearly Meeting at the usual time and place, and that replies were received uniting on the prospect.

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I don't doubt, but it was our Monthly Meeting that took the instruction and decided upon the time and place of holding the Yearly Meeting. It was in consequence of the correspondence received that it was decided as to the time and place of holding it.

I was not at this Yearly Meeting. I acknowledge the minutes put in as a record of what took place at that meeting.

I understood at our Yearly Meeting that all the officers and machinery of the Yearly Meeting of '80 were ignored. It was a distinct meeting from that of '80. It was what we consider the Canada Yearly Meeting. It was a continuation of the Yearly Meeting of '80 in one respect. The meeting

of '80 was the only Canada Yearly Meeting of that year, but the majority went so far that we 15550 ignored the future meetings, and held what we considered the true Canada Yearly Meeting.

I have not examined particularly into the proceedings of the annual meeting of '80. I do not suppose that the minutes, the only judge of what took place will shew what took place as to any change of doctrine, but some of their acts I and others disapprove of as appears by the minutes. I never heard that the Yearly Meeting of that year changed any of the doctrines, but I heard that they preached doctrines there that year contrary to the doctrines of old Friends. I can't say who preached the bad doctrines, whether any of our people did or not, but I know there were complaints of those preached by parties from the States.

As appears from the printed minutes, the Yearly Meetings of the Plaintiffs' of '81 or '82, were a continuation as to machinery, as of that held in '80. 15560

I was told that Kenworthy in one of the Plaintiffs' Meetings preached that once he followed the Lord, and that now the Lord followed him.

I don't know that the Yearly Meetings of Canada ever adopted any false doctrines which would appear in the minutes, but they allowed them to be preached at the meetings.

I never laid any formal complaint against such preachings. The most, if not all, I have no doubt came with proper credentials. We are bound by the ordinary rules of all religious societies to hear ministers coming thus accredited.

I opposed the giving of return minutes in '77 to Noah McLean and Jacob Baker, and one or two others. In the committee in which I brought it up I stood alone.

I also opposed giving a return minute to Noah McLean at our Monthly Meeting of Westlake. 15570

In explanation.

I believe I was mistaken in saying that Allen M. Dorland left the Yearly Meeting of '78, when I did.

I remember the matter of the New Discipline coming up in our Quarterly Meeting. Levi Varney, Gilbert Jones and myself, and one or two others made strong objection to its adoption.

It was those who are now called the Old Friends who opposed the adoption. We expressed our dissent by declaring our determination not to consent to, or live under it. We were overruled, and the clerk, although he was on our side was weak enough to put it down as passed. It was contrary to our custom to pass a matter when there was such an opposition to it as there was. It was brought up at the same time in the women's meeting. 15580

Mr. CLUTE objects.

They told me it did not pass in the women's meeting. I was also told that some of them went back and appointed a new clerk and adopted the Discipline.

I have heard a good deal of talk among the members of the meeting, and from what I saw in the public prints about these false doctrines. I think it has not come to the notice of the public until the

last seven or eight years. The objectionable practices of singing and such like have not been practised in our meetings, except within the last eight years. Noah McLean was one of the parties who introduced these objectionable practices.

At one time I attended a meeting at which a minister from Ireland and one from England were present.

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After they finished speaking which was in a short time, McLean Radcliffe, C. G. Bowerman and I think Anthony T. Haight went down into the body of the meeting and asked the young people to come forward, and had them kneel down along a bench, and Radcliffe would get down and put his ARM around ONE of the YOUNG GIRLS and WHISPER something in her ear. MOST UNSEEMLY conduct at a meeting of Friends. I suppose they called the bench the Penitent Bench or Mourner's Bench. McLean prayed. I was so disgusted with it that I did not pay particular attention to what was done. They would get up and after a while they would have them down on their knees again. I have seen Revival Meetings in the Methodist Church, but never saw them conducted in such an unseemly way. Bowerman and others also prayed. This meeting was at Wellington.

This was not unusual of conducting a Friends' Meeting.

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Another meeting I attended at which McLean was present was at Bloomfield. There was a Methodist present and there was singing. This gentleman told me he had been specially asked because he had a good voice.

I live about three-eighths of a mile from the meeting-house and have heard the noise then made at some of the meetings.

The proper way of conducting a Friends' Meeting is this. The Friends go in and sit down in silence. If our Heavenly father calls upon anyone present to either stand up and speak or kneel down and pray they should always yield to it. I don't say that they always do. We have no pre-arranged services.

The innovations introduced upon this by the Plaintiffs' party consists of continual preaching and praying and confusion of that kind, and now and again singing.

15610

Our Ministers when they enter a meeting if they are true Quaker Ministers do not know what they are to say, it will be given them there.

They the Plaintiffs' party have said that they have not to wait for the Spirit to move them. That they are qualified at all times. McLean and Bowerman have said so. I have heard them also say that if they only believed in the Saviour that was sufficient.

I read the minutes of our Yearly Meeting of '81, as to the errors introduced into the meetings. That statement is correct.

It was the Plaintiffs' party who upheld McLean and Scott. Our party and friends complained of this procedure. If formal complaint had been made in meeting they would not have listened to it. Those Elders who thought as we did have told me that they did not think there was any use of complaining on that account. The other party, although not much in numerical majority, overpowered us. They adopted the principle of ruling by numerical majority. We never did.

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I have made complaints to the Elders with respect to these doctrines and practices but they said there was no use in making a formal complaint as they would be overpowered by numbers. Their party, although not much numerically stronger in our meetings were much more so in the Yearly Meeting.

I have talked with some of the Plaintiffs' party about these practices. I did with C.G. Bowerman.

In connection with this occasion I have referred to when I read the notice at the meeting which McLean was conducting, a summons was issued against me for what I did to McLean. Daniel Leavens, I believe laid the information. I had no idea of going to law about it, but when I was served with the summons I thought it became my duty to carry the war into AFRICA and I commenced proceedings against the colored minister. All the proceedings were dropped at the same time. 15630

There has been first to last a great deal of discussion as to the meetings held by Mr. McLean and Scott and the doctrines they preached.

They were not taken up before the meeting because the other party had the full sway of the Monthly Meeting and it was useless to attempt it.

In the matter between McLean and I he was the aggressor. He did what he did to interrupt my going out, to endeavor, I think to make me look ridiculous in the eyes of the meeting.

At the meeting at my house no time or place of future meetings was decided upon or settled. We only decided that we would hold our meetings separate. 15640

For many year previous to '28 they, the "Hicksites," had been preaching unitarian doctrines in the Society. The separation that then took place was on a question of doctrine. Before that the Society had all been one body. At that separation the first occurred at the Yearly Meeting, New York, and they divided on down from that to the Preparative Meetings. We claim to be a continuation of the Orthodox Body, which separated from the Hicksites in '28. We were then living under the Discipline of 1810.

This Discipline contained the same provisions as to setting up meetings as the Discipline of '59, and I presume the same provisions as contained in the Discipline adopted by the meeting of '80.

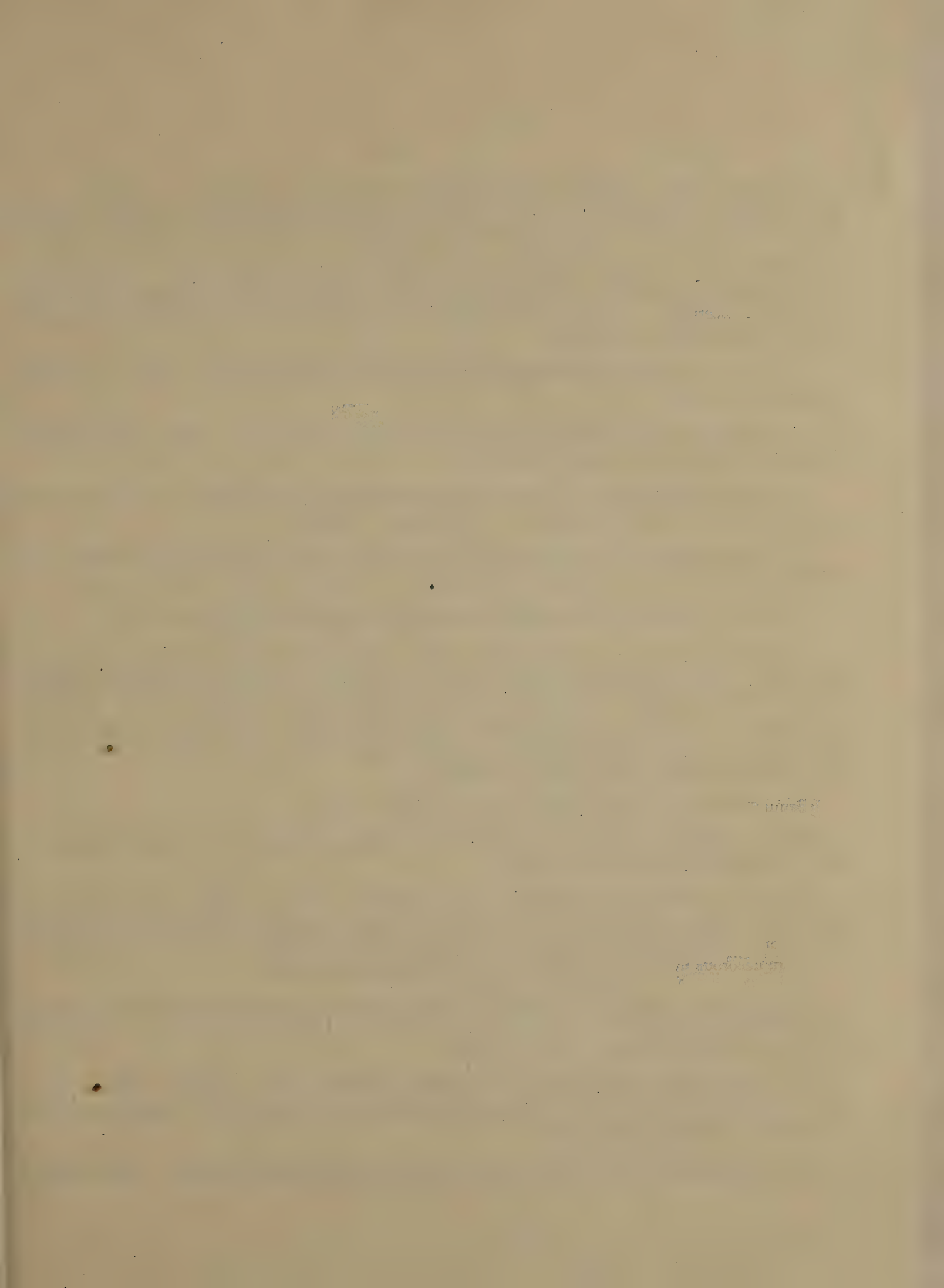
The meetings held separate after the separation in '28, were a continuation of the meetings held before the same as we claim our meetings are. 15650

We still meet in the same house, but the Hicksites took the Clerk and the books of the Men's Meeting.

MR. CLUTE objects.

I think we have followed very much the same course now as we did then.

The Discipline does not fix the day or hours of meeting nor the place of meeting of any of the Subordinate Meetings. It is not entirely within the Jurisdiction of the Yearly Meeting the fixing of the times and places of the Subordinate Meetings. The Monthly Meeting fixes the times and places of the Preparative and the Quarterly fixes the Monthly.



I understand that a Monthly Meeting may be made up of only one Preparative Meeting. As a part our Quarterly Meeting was made up of Westlake and Cold Creek Monthlys. See page 31 of Discipline '59. I am not able to point out anything in which any of our meetings are now held irregularly. 15660

Although there may have been something irregular in the formation of our meetings, there is nothing irregular in them now. As I understand it there cannot be a Yearly Meeting without the Subordinate Meetings. In other words a Yearly Meeting must be composed of representatives and members from Subordinate Meetings.

There have been several Monthly Meetings established to my knowledge by and with the consent of a Quarterly Meeting.

There is nothing in the Discipline that I know of which sets out how a Yearly Meeting shall be established or set up: it is a matter of usage.

If a Yearly Meeting was set up without any direct authority from another Yearly Meeting, other Yearly Meetings would not recognize it. This is a matter of practice. 15670

When we commenced to hold our Separate Meetings we did not recognize the other party as Friends, I believe as a body they don't recognize us as Friends. We don't care whether they do or not.

We do not recognize any of their meetings as being meetings of the Society of Friends.

I attended a meeting at Cold Creek last summer. I happened to be in the neighborhood at the time, and to spend an idle hour I went to the meeting. It was conducted by Francis Lufton and Sam'l Saylor. Lufton read about half a chapter from the Scriptures, and then began to talk to them about being liberal with their money. He said he knew a man who gave the Lord his pocket book, and let him make the change. A speech that no Quaker minister could possibly make. He said if any body had any singing to do he would like to have it. 15680

Samuel Saylor tried to sing, and I suppose he thought he did.

They also told their experiences. None of these practices are usual in Friends' Meetings. I think the Methodists have these practices.

I don't know whether this man came down to Westlake or not. I believe from what I have heard and read that the Dublin and London Yearly Meetings are much divided upon such innovations as prevail in our Society—both in doctrine and practices—except that they conduct themselves in a more decorous manner—none of this rowdy element that prevails here.

There has been a separation in some of the Yearly Meetings in the States, and with the exception of Philadelphia the others are all divided in sentiment. I understand the causes of their divisions to be the same as obtains here in Canada. 15690

There have been actual divisions in Kansas, Iowa and Western Yearly Meetings. We are in correspondence with that part who are in sympathy with us, and the Plaintiffs in correspondence with that which is in sympathy with them.

The Philadelphia Yearly Meeting do not correspond with our Yearly Meeting. They are looked

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upon by us as the soundest body of Quakers on the Continent. They refused to correspond with any other Yearly Meeting on account of the separation in Ohio in '54. This separation arose in fact on account of doctrine. The Philadelphia meeting or its members are looked upon and recognized as Quakers.

I don't consider that correspondence is absolutely necessary for the maintaining of a Yearly Meeting.

15700

The reading of the Scriptures is not practised in our meetings, but it is enjoined to read them collectively in our families. It is an enquiry at Quarterly Meeting whether families are in the habit of reading the Scriptures collectively.

We do not read the Scriptures in our meetings, because we should sit down in our meetings and wait for the Holy Spirit to move us—by reading the Scriptures it is putting the letter before the Spirit.

Enlarged till to-morrow at 9 a.m.

WILLIAM VALENTINE'S examination resumed.

Barclays' apology beginning at page 57 treats of the reading of the Scriptures. The principles laid down in that chapter are exactly our principles; Ex. "C."

15710

There is also a chapter on Worship, page 344. This is a correct synopsis of what our belief is on that point.

There is also a chapter on the Ministry coming on page 271. This shows the belief of the Society as to what constitutes a true Ministry. At page 341 the Doctrine of the Minister waiting for the Spirit is laid down. On page 369 reference is made also to silent waiting.

I have belonged for the last 29 years to the Bloomfield Preparative and before that the Cole Creek Meetings for worship. I have always been a member of the Westlake Monthly Meeting for the last 62 years. I have subscribed during the last 29 years a good deal of money to this meeting-house. The meeting-house was erected before, but there have been considerable improvements made since, to which as well as to the ordinary expenses of the meetings I have paid my full share.

15720

Since we have been locked out we have had to procure another place to worship in.

We have not departed from Ancient Friends's Doctrines or Practices.

In the year '74 it was considered necessary to repair the building and a Committee was appointed to prepare an estimate. An estimate was brought in of \$680. I thought it could not be done for that. Robt. H. Saylor said give us \$700 and we will engage to do it. Robert H. Saylor, Stephen White and Levi Bowerman were appointed a Building Committee. C. G. Bowerman was appointed Treasurer and also to solicit subscriptions.

I think the minutes of the meetings at that time will shew exactly what arrangements were made. The repairs were made. I don't think that Levi Bowerman acted. The other two went on and did the work. We got the use of the Town Hall while it was being repaired. They furnished a bill

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of the repairs amounting to between \$1100 and \$1200, and informed us that they had borrowed \$200 to complete the building. I proposed as soon as the bill was brought in that a couple of Friends should be appointed to audit the accounts. I did this before the bill was read over, when I proposed it Robt. H. Saylor started on his feet and said if we did that he would never do anything for Friends so long as he lived. C. G. Bowerman said without presenting any account he had received so much, I think between \$500 and \$600. There were some items in it which I could not understand. Saylor was down in the bill for 46 days work, \$52; and White for \$38.

If these were charges for services it was entirely an unusual thing in the Society. Derbyshire was also down for some amount. An audit was refused, and was never had to my knowledge. The clerk read out the items in the Preparative Meeting and it was at this time that I asked for the audit. The debt on the church at the time of the separation was, (if any) the amount of this note given for the balance of the \$1100 or \$1200. I was asked several times to contribute towards the payment of this note, but I refused until I was satisfied that it was correct. I told Bowerman that if he could shew it was an honest debt I would pay a double share of it. 15740

I think a great many of our party rather than have any dispute about it paid an amount of it. Derbyshire told me at one time that \$50 was unpaid on this note, and asked me to contribute towards it which I refused to do.

Allen M. Dorland was the clerk of the Quarterly Meeting before the separation. He is now clerk of our Quarterly Meeting and has the books of the Quarterly Meeting before the separation.

After a book is filled up it is given to the Recorder to keep. William Garratt was the Recorder for a great many years. He asked to be relieved, and John T. Dorland was appointed in his stead. I did not name him for the office. 15750

The action of our Yearly Meeting with reference to the new Discipline adopted in '80 appears on page 10 of the minutes of that meeting.

On page 2 of the minutes of our Monthly Meeting are set out some of the reasons which led to the separation. This minute was unanimously insisted in at this meeting. The subject is further referred to in correspondence with Norwich on pages 6 and 7.

The Yearly Meeting does not adopt or promulgate doctrines. It is not the province of the Yearly Meeting to do so.

I went down on the 3rd January with a lock with two keys to put it on the meeting house, so that each party could have a key. I met R. H. Saylor and John Cronk, and they refused to allow me to do so. I explained to them that it was intended each to have a key, so that there would not be any more bickering. They refused to allow me to do so. 15760

We effected an entrance twice after the Chancery writ was served.

I consider the appointment of a Pastoral Committee entirely ultra vires, and utterly opposed to the Discipline. The effect of this appointment, I understand, has been they have gone round and held a series of meetings which is entirely opposed to the Discipline and the practices of the Society.

It would not be proper to bring up a complaint for improper practices before the Yearly Meeting unless it came up in the way of appeal for disownment. Such complaints should be to the Ministers and Elders

15770

To Mr. CLUTE :—

I knew Jonathan Cleak, Daniel Haight and Gilbert Dorland, the Trustees of the Westlake Monthly Meeting of '21. I knew them all well. They are all dead. Jonathan Cleak was the last survivor. He died some years ago.

Jonathan Cleak and Gilbert Dorland, mentioned in the deed of 1835 are two of the same Trustees.

I should say that the last survivor of the Trustees in both these deeds is dead over 20 years.

The meeting house at Bloomfield was there when we moved into Canada in 1820. I understand it was built the year before. It has been renewed twice, the last time bricked over and refitted inside. It has always been in possession of the Westlake Monthly Meeting.

Whichever meeting is the true Westlake Meeting would own the property. If our Yearly Meeting is the true one it will belong to our Monthly Meeting and if their Yearly Meeting is the true one I suppose in law it will belong to their Monthly Meeting. 15780

I never made a formal complaint to the Ministers and Elders about the preaching of false doctrines. They were well aware of it themselves. I drew their attention to it.

When I say our meetings although irregular at first are regular now I mean that our Yearly Meeting has recognized them as they are now carried on.

If our Yearly Meeting is irregular the law may hold our other meetings to be irregular, but I never will.

Correspondence between yearly bodies is for the purpose of keeping up unity between them. When there is unity there is correspondence. 15790

I presume the items of the building amount were all read over before the Preparative Meeting. They forced it through the meeting, although Levi Varney, James Noxon and myself opposed it. I have confidence in Allen M. Dorland. I don't think he would knowingly put down a minute that was not true.

To MR. ALCORN.

All the Trustees of the deed of '21 were alive when the deed of '35 was made. The deed of '35 was taken by a Friend without any official sanction of the Monthly Meeting; sanctioned by a few Friends; done I believe because he was afraid the Hicksites would take it. The buildings are not on the part comprised in the last deed, except possibly a corner of the shed.

Since the injunction has been served upon us the building has been in possession of the Westlake Monthly Meeting of the Plaintiffs. 15800

We followed legal advice when we broke into the meeting house. I don't think it was according to Friends' practices.

(Signed,)

WM. VALENTINE.

LEVI VARNEY affirmed.

In the affirmation I made in this matter I referred to the affirmation of Gilbert Jones. So far as I remember I agree with what it contained. I also heard a large part of his examination substantially. I agree with what I heard him say.

I am the Clerk of the Defendants' Westlake Monthly Meeting appointed at the first meeting held after they left us. It was on the 10th February I think they left us. We all met together. They 15810 transacted their business and left and we held our meeting.

I was at Wm. Valentine's a few evenings before when we met to discuss matters.

I can't recollect now whether it was arranged then to hold Separate Meetings or not, my memory is not very good in some things.

I was not at the Yearly of '80. It was a Canada Yearly Meeting of course.

I can't remember any conclusion that was come to at Mr. Valentine's that evening. The first I know or remember of separation was at the meeting after they left. It was talked of for a long time that it would likely end in separation.

After the Preparative Meeting at which we were all present they left the meeting. It was a regular meeting for worship, but I consider that the regular business part of the meeting was not held 15820 until after they left. We took no part in what they did, and I don't remember what was done at the meeting. It was closed I presume by them in the usual way and they went away.

I think it was my wife who came in from the Women's Meeting and first spoke of holding a Separate Meeting.

I can't remember the exact words she used but the substance was that we could meet no longer together but that we would meet thereafter separate. I don't consider that we separated from them. I don't think that they asked to separate from us or said anything about it. I never knew of my own knowledge a similar case of two Preparative Meetings being held on the same day. Robert H. Saylor was the Clerk of the first meeting held that day.

I think it is correct as Mr. Valentine has stated it—that the first meeting was closed and some of 15830 the Friends had gone out and gone home when some of the women suggested that a Preparative Meeting should be held and that those who were there went back and held it.

I can't remember who went back. I don't remember whether Gilbert Jones was there or not.

I think we held our meeting in joint session. This is not usual at the Westlake meetings. I believe it is done in some other places,

The approaching Monthly Meeting was to be held at Wellington. We held ours at Bloomfield.

If there is no Clerk or he is absent a Clerk is appointed for the day. I believe I was appointed Clerk for that day. R. H. Saylor was Clerk of their meeting. He was not of ours.

I think Anthony Haight was Clerk of the Monthly Meeting at this time. I was before that the

Clerk of our Monthly Meeting held at Bloomfield, appointed at the meeting. Haight went with the 15840 others. When a new Monthly Meeting is set up it is done so by the Quarterly and the Quarterly controls the time and place of holding the Monthly.

We had no authority from the Quarterly Meeting to hold our Monthly Meeting when we did that day.

The old Monthly meeting was made up of the two Preparatives of Wellington and Bloomfield.

I agree with Mr. Valentine when he says that the Wellington Preparative Meeting did not as a meeting send representatives to our first Monthly Meeting.

Our first Monthly Meeting was made up of the Preparative Meeting held by us at Bloomfield after the Preparative Meeting was closed of which Robert H. Saylor was the Clerk.

We did not recognize the Wellington Preparative Meeting at our first Monthly as they did not 15850 send representatives. I agree with Mr. Valentine when he says our meetings were held at irregular times.

They were regular so far as I know, except the place of holding the meeting. It was held as it was on account of the emergency of the case.

I presume we appointed a clerk at our first Quarterly Meeting.

I did not attend our first Yearly Meeting. They appointed new officers I believe, and ignored the officers of the Yearly Meeting before.

I did not know the old Trustees of this meeting house, except Jonathan Cleak. He died some years ago.

I was not clerk of the Monthly Meeting before the separation.

15860

By reference to the minutes it would appear that Jonathan Cleak has been dead over 25 years.

There was no attempt by our meeting to raise any part of the \$500 directed to be raised by the Yearly Meeting of '80. The other Yearly has the control of the college. And they had worked till they had got all, or nearly all our Friends out of office, and had got control of all or nearly all the meetings.

I have not read the new Discipline of '80, and can't say, as a fact of my own knowledge whether it contains false doctrines or not, but it does false practices. If they live according to this Discipline these must be false doctrines.

The usual course of procedure in cases of revision of the Discipline is that the proposition comes from the Quarterly to the Yearly, and the Yearly sends it down to the Subordinate Meetings for their 15870 consideration, when it is returned again to the Yearly and adopted, if thought best.

This was the course I know was adopted in connection with the revision of the Discipline in the New England Yearly Meeting. We opposed this Discipline because that course was not adopted here, but was forced through at the Yearly Meeting in an irregular manner.

I was not present at this New England Meeting. There was no revision of the Canada Discipline before this, except in a few small matters. I don't remember whether this course was adopted at these times or not.

I have attended none of our Yearly Meetings. I first attended the Westlake Monthly Meeting in '46, and have attended it since, except about five years which I was away. Ever since I came here this property has been in possession of the Westlake Monthly Meeting. 15880

The Monthly Meeting is the meeting of business, and a meeting of record, and holds the title to the church property usually. The Preparative Meetings do not.

A Preparative Meeting cannot according to the Discipline set up a Monthly, nor a Monthly a Quarterly, nor a Quarterly a Yearly.

Other meetings would not recognize such meetings, unless there were particular circumstances.

We are to follow the rules laid down in the Discipline and only depart from them in cases of exigency. This case of ours was such a case in appointing a different place for the holding of our Monthly Meeting.

It is the custom for Yearly Meetings to correspond and the unity is kept up in that way.

I know the names of the Yearly Meetings with which the Yearly Meeting of '80, and Yearly 15890 Meetings prior thereto were in correspondence.

Our Yearly Meeting is not in correspondence with all these, only with Kansas, Iowa and Western, and we correspond with that section there who are in sympathy with us. I believe our Friends are in the minority there.

I don't recognize the Plaintiffs and their party as Friends nor members of the Westlake Monthly Meeting.

In explanation.

Unity is also kept between Yearly Bodies by visits paid and received.

Mrs. Varney in May '81 was granted a minute to visit within the limits of; Butterwet Quarter, New York. Page six of minutes. She was also as appears on page eight granted a minute to visit 15900 within the limits of our own Quarter Mrs. Branscombe as appears by the minutes accompanied her.

I remember last year a Minister by the name of Sargeant and his wife from the London Yearly and one Hazzard from the Puma Yearly Meeting visiting our Monthly Meeting.

On page 20 a minute was granted to Mrs. Varney to visit the Western Yearly Meeting.

On page 23 reference is made to Mrs. Varney's returning minute from the Western. On same page Mrs. Varney was again liberated to attend to new England Yearly Meeting. On page 24 reference is made to the returning minute. The Discipline nor anything else in our Society limits the length of our meeting. I am not therefore aware of any rule that we contravened in holding our meeting on 10th Feb. We all did attend the meeting held at 10 o'clock. The Clerk of that meeting belongs to the new Light party. As a part he and his Friends did go out from the building and did not attend our 15910

subsequent proceedings, and have not attended any of our subsequent meetings. The Yearly Meeting of '81, the first one held by us after the separation, made out a list of the times and places of all meetings which appear on the minutes of that year.

From the 10th February we held our meetings in the regular sequence of order up to the Yearly Meeting and as nearly as possible at the old times without interfering with the other party.

If the Yearly Meeting had been the next one in order the times of the meetings would have been fixed at once by it. It would have been irregular to have dropped our intervening meetings between the first meeting and the Yearly.

I know of the practice in revision of the Discipline from historical record in the Society.

The character of the Meetings held by Scott, McLean and others of the New Lights were not in accordance with the practices of the Society. They continued to hold these meetings from day to day and preach improper doctrines, and introduced new practices such as SINGING, a mourner's bench and asking the people to come forward to the bench to be prayed for, and to stand up and tell their experiences, and they also made derogatory allusions to old members. Elder Scott compared them to old engines which had run off the track and lay rusting. 15920

Barclay's apology, page 344 of Ex. "C," contains a statement of the doctrines and practices of Friends in connection with public worship. I consider Barclay also teaches that singing is objectionable in meetings.

The Plaintiffs' party fell in with and encouraged these ministers who came here preaching improper doctrines and practices. 15930

Our party objected to them and many of us left the meetings. We did not make a formal complaint as we knew they had the majority and as they claimed to rule by majority we knew it was no use to make such complaint.

To Mr. CLUTE:—

The Minister from London Yearly Meeting brought minutes, I believe. I did not see them. They belonged to the old Friends in England. There is no separation there.

(Signed)

LEVI VARNEY.

ALLEN M. DORLAND affirmed:—

15940

I did not attend the Yearly Meeting in '80 and I think I did not in '79 or '78. I may have in '77.

I recognize the Book now produced marked Ex. "M" as the printed minutes of the Yearly Meeting of '80.

There was no division at that time among the Friends. I was the Clerk of the Four Months Westlake Meeting in '80, appointed on 6th Month. I was the Clerk at the last Four Months Meeting before the separation took place. The minutes of that meeting in the minute book now produced are in very bad writing. The Discipline adopted by the Yearly Meeting of '80 was adopted at that meeting.

The minute of the adoption is made, as I thought then I ought to make it.

I was re-appointed at the beginning of the first Quarterly Meeting held by the Defendants' party after the separation. The first duty at one of their meetings is to read the minutes of the last meeting. 15950

This Four Months' Meeting was not held at the time the meeting would have been held if they were altogether, but on the same day. The Plaintiffs' held them at the usual hour, 11 o'clock, and we held ours on the same day at four.

At the last Quarterly Meeting held before the division the meeting was made up of the following Monthly Meetings:—Cold Creek, Westlake, Kingston and Leeds.

I did not attend the Plaintiffs' Four Months' Meeting held at 11 a.m.

At the Four Months' Meeting held at four in the afternoon Cold Creek and Westlake Monthlys sent representatives—Leeds and Kingston Monthlys did not send representatives I think, but I think some of the members were present. There is nothing in the minutes to shew in this respect. 15960

I think the representatives who attended this meeting from Cold Creek held their Monthly Meeting in Thurlow at the Vermilyea meeting house.

There had been a split in the Cold Creek Monthly, and the party who sent representatives to us were in sympathy with us. The minutes in the record of the proceedings of our first Quarterly Meeting on page 31, with reference to recording the action taken with reference to the new Discipline was intended to rescind the action of the previous Quarterly as well as Yearly Meeting.

I attended the Yearly Meeting of our Friends in '81. I was aware that the meeting of '80 had decided to hold the next meeting at Norwich.

Our Yearly Meeting of '81, was made up of the Four Months' Meetings of Westlake and Pelham, composed of that part of the Friends in both places who were dissatisfied with the proceedings of the Yearly Meeting of '80. These were the only two Four Months' Meetings represented, but I understood there were Friends present from all the other Four Months' Meetings. 15970

I can't give the numbers or approximate numbers of the Friends in Canada represented at our annual meeting.

Page 26 of the minutes of the Quarterly Meeting shows the numbers reported to the Yearly Meeting of '80, as belonging to the Westlake Quarterly.

I can't give the members of the Westlake Friends who belong to either party.

I won't doubt but that Plaintiffs' party are in considerable majority in Canada.

The Defendants' first Preparative and Monthly were held before I knew of it. I attended the first Monthly of the Plaintiffs afterwards before I knew of the Division. 15980

I heard a part of Mr. Jones' examination and a part of Mr. Valentines. I agree with what they both said in almost—if not every particular.

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I don't suppose a Preparative Meeting could set itself up or that it could set up a Monthly, nor could one or two Monthlys set up a Quarterly, nor one or two Quarterlies set up a Yearly so far as I understand the Discipline.

I was not present on either of the occasions when the meeting-house was forced open.

I have belonged to the Westlake Monthly Meeting ever since I can remember, during all that time they have been in possession of this meeting-house property.

I knew Jonathan Clark, he died a good many years ago.

The first thing we did when we got together at our Yearly Meeting was to appoint a Clerk for the 15990 day.

I think I was appointed the Clerk. I had not been the Clerk the year before. A minute was made of it and I think the representatives called from Westlake alone. That was all the Quarters that was reported then under the circumstances. The next thing done was the adoption of the minutes rescinding the action of a previous Yearly Meeting of '78 with regard to the Pelham Friends.

It was the Westlake four months consisting of the representatives and other members who attended that meeting who adopted this meeting. Immediately afterwards the Pelham Friends were received and that constituted our Yearly Meeting with the addition of other Friends from different places.

A committee was appointed to take into consideration the causes which had led to the disturbance among the Friends and which had led to there being two Yearly Meetings.

16000

We ignored the representatives and the Clerks of the Yearly Meeting before.

I paid towards the money directed to be raised by the Yearly Meeting of '80, to the committee appointed to raise it for the Plaintiffs' Meeting.

Our Quarterly did not collect and take with them any part of the money directed to be raised by the meeting of '80.

We had no report from or in connection with the College. It had got into the control of the other party and the report if any was made to the meeting.

We did not recognize their Treasurer. We required all the officers and machinery of the Yearly Meeting of '80, and we do not recognize the new Discipline adopted by the Yearly Meeting of '80.

I am aware that for a number of years prior and up to '80 the Canada Yearly Meeting was in correspondence with certain other Yearly bodies. We do not recognize or correspond with any of them except a part of some three of them.

16010

I am not well enough acquainted with the new Discipline to point out any heresies or false Doctrines introduced into it, or to say that any such have.

I have not attended the meetings at Bloomfield except the Monthlys. I have attended the Wellington Preparative.

The Westlake Monthly was made up of the Wellington and Bloomfield Preparatives. The Wellington Preparative does not recognize our Monthly Meeting held at Bloomfield nor does our Monthly Meeting recognize the Wellington Preparative. There were we thought hardly enough of our Friends at Wellington to hold a Separate Preparative. There were only a few at first. I think in fact I was the only one who held to our party, now there are considerably more. 16020

I don't think there is much stress laid upon the manner of dress now as there used to be. I think it would be better if there was.

In explanation.

Leeds and Kingston Monthlies have both for some time reported to our Quarterly.

On page thirty of the minutes of the Quarterly Meeting is the minute of the adoption of the new Discipline.

The parties appointed to assist in carrying out the Discipline in connection with the appointment of Elders all belonged at the time to the Plaintiffs' party and do yet unless Anthony Haight has left them which I understand he has. 16030

On the next page is the adoption of the Minutes rescinding the action taken in connection with the new Discipline, and it was intended to rescind whatever action had been taken. It was competent for one meeting to rescind the act of a previous Meeting and this minute intended to apply to the minutes of this previous meeting I have no doubt.

Ex. 'D' 1 is the Quarterly Meeting minute book of the women's meeting. On page 13 is a minute of the action taken in their meeting in connection with the adoption of the Discipline.

The minutes of the Quarterly Meeting page 926 shews the number of members in Westlake Quarterly to the 469. This memorandum is in my hand writing and made on 6th June, '80.

By the minutes of the Plaintiffs' Yearly Meeting of '82, the number of members appearing as belonging to the Westlake Quarterly is 266. See page 9. 16040

This number would include any who joined them after the division up to the time that returns was sent to the Yearly Meeting, and they claim there were a good many.

By the minutes of Plaintiffs' Yearly Meeting of '81, page 15, the report of the Pastoral Committee contains reference to large additions to the church.

I did not think the action of the Yearly Meeting of '78 in connection with our Pelham Friends legal or regular, and that is the reason we took the action we did at our first Yearly Meeting, as a fact these persons were present at the opening of that meeting in their representative capacity.

I am not prepared to say that it was a necessary act that we should have made our first minute in connection with what the Yearly Meeting of '78 had done in connection with the Pelham Friends.

A large part of the Foreign Orders with whom we do not correspond are in sympathy with us. I believe the same state of affairs exists in all, or nearly all before the separation here. 16050

I don't attend the Preparative at Wellington. They have disowned me, I believe.

They never told me the reason. I was notified that my name was taken off the books without any labor.

To Mr. CLUTE :

On page 9 of the Plaintiffs' Yearly Minute of '82, the total number of Friends is put down at 1,465.

In 1880 the total number as appears by the number was 1,655.

To Mr. ALCORN :

A complaint was made by Vincent Bowerman against Charles G. Bowerman before the ministers and elders meeting. It was proposed that his name be dropped from the meeting of ministers and elders. Some objection was made that a change should be made, when Vincent Bowerman made the charge of his officiously and refused to submit to the advice of the Friends. 1606

This minute was sent down to the Quarterly at Leeds. They required to take action on it as they said it was not a correct minute of the Preparative meeting, and it was laid over to another Quarterly Meeting.

The next Quarterly Meeting was held at Westlake. It was objected again that the number was not a correct record of what took place, and that I had not received it over. This objection was taken by himself and his sister. I made a statement to the meeting at their request. The end of it was that the charge was dropped. 1607

To Mr. CLUTE:—

This was before and had nothing to do with the present division of the parties. It was some six or seven years ago.

To Mr. ALCORN:—

He was requested to leave the meeting while it was being discussed but he refused to do so.

It is a part of the Discipline that a member shall not be present while his case is under discussion.

(Signed)

ALLEN M. DORLAND.

It is agreed that the examinations of all the parties taken before me may be used as though the evidence were taken at hearing saving all just exceptions and that the respective parties who have been examined shall attend at the hearing for the purpose of being examined on any special point counsel may desire except in case of unavoidable absence on account of illness when their evidence shall be read as taken before me. 1608

(Signed)

S. S. LAZIER,

Master.

EXHIBIT "A". PLFFS.

This INDENTURE made and executed this fourteenth day of fifth month in the year one thousand eight hundred and twenty one, by and between Jonathan Bowerman and John Bull, both of the Township of Hallowell, Midland District and Providence of Upper Canada, of the one part and Jonathan Clark, Daniel Haight and Gilbert Dorland, Trustees of the West Lake Monthly Meeting of Friends appointed by said Monthly Meeting to secure the titles of Meeting House lots and burying grounds of the other part.

16090

Witnesseth that the said Jonathan Bowerman and John Bull, for and in the consideration of the sum of fifteen pounds lawful money of the Province of Upper Canada, granted, bargained, sold, released and confirmed, and by these presents, do grant, bargain, sell, release and forever confirm unto the said Jonathan Clark, Daniel Haight and Gilbert Dorland, and to their successors in trust for said Montly Meeting all that certain parcel or tract of land situate lying and being in the Township of Hallowell, Midland District and Providence of Upper Canada containing by admeasurement six acres be the same more or less, composed of a part of lots number nine and ten in the second concession, Military Tract, which said land is butted and bounded, or may be otherwise known, that is to say, commencing at a post marked "A", North of the Meeting House and on the line between the aforesaid lots, number nine and ten, then running north seventy degrees west eight rods, then south twenty degrees west sixty rods more or less to the waters edge of a creek south of the aforesaid Meeting House, then an easterly course along the creek sixteen rods, then north twenty degrees east sixty rods more or less, then north seventy degrees west eight rods to the place of beginning.

16100

To have and to hold said parcel of land hereby granted unto the aforesaid Trustees of said Monthly Meeting for the time being and for their successors in trust as said Meeting, shall from time to time see cause to appoint for the only use and benefit of said Meeting; with all buildings, erectments and improvements, priveleges and appertenances thereunto belonging, or in anywise appertaining, and the said Jonathan Bowerman and John Bull doth for themselves, their heirs and assigns forever warrant and defend the within mentioned premises to said Trustees of said Meeting and to their successors.

In witness the said Jonathan Bowerman and John Bull have hereunto set their hands and seals, gned, sealed and delivered in presence of

16110

Signed { GIDEON GARDNER. JONATHAN BOWERMAN, L. S.
AARON WHITE. JOHN BULL, L. S.

Mem rial registered in the Registry Office for the County of Prince Edward the 18th day of February AD. 1829, in Book N, pages 173 and 174, No. 1366.

EXHIBIT "B" PLFFS.

This Indenture made and executed the fourteenth day of twelfth month (called December) in the year one thousand eight hundred and thirty-five.

By and between Jonathan Bowerman of the Township of Hollowell, County and District of Prince Edward, and Province of Upper Canada, Yeoman of the one part and Jonathan Clarke and Gilbert Dorland, both of the Township, District and Providence aforesaid Yeomen' Trustees of West Lake Monthly

16120

Meeting of Friends (called Quakers) appointed by said Meeting to secure the titles of Meeting House lots, and burying grounds of the other part.

Witnesseth that the said Jonathan Bowerman, for and in consideration of the sum of seven pounds ten shillings lawful money of this Province, the receipt whereof is hereby acknowledged, hath granted, bargained, sold, aliened, released and confirmed, and by these presents doth grant, bargain, sell, alien, release and forever demise and confirm unto the said Jonathan Clark and Gilbert Dorland, and to their successors in trust for said Meeting, so long as the members constituting, it shall remain and be from time to time continued in religious unity with the yearly Meeting of Friends (called Quakers) as now established in London, Old England, and no longer. Anything herein contained to the contrary notwithstanding, All that certain parcel or tract of land situate, lying and being in the Township of Hallowell, District of Prince Edward and Province aforesaid containing by admeasurement three acres be the same more or less ; composed of a part of lot number ten in the second concession of the Military Tract in said Township, which said land is butted and bounded, or may be otherwise known, that is to say, commencing at a post marked "A" North Easterly of the present Meeting House of West Lake, and eight rods easterly of the boundary line which divides between lots number nine and ten, said parts stands on the North side or boundary of the York Road which crosses said premises, and is the North East Corner or angle of the said demised lot of land, making the Northern boundary and the East side line to be at right angles from said post, thence running North seventy degrees West eight rods to the boundary line between numbers nine and ten, then South twenty degrees, West sixty rods more or less along the said boundary line to the waters edge of a creek at the South end of said land, then an Easterly course along the North side of said creek eight rods, then North twenty degrees East sixty rods more or less to the place of beginning. 16130 16140

To have and to hold the said parcel or tract of land hereby granted unto the aforesaid Trustees of the said Monthly Meeting and to their successors in trust for the time being as said Meeting shall from time to time see cause to appoint for the only use behoof and benefit of said Montly Meeting together with all buildings, erectments and improvements thereon, now and in future and all and singular the privileges and appertenances there unto belonging or in any wise appertaining.

And whereas he the said Jonathan Bowerman bath on the fourteenth day of the fifth month (called May) in the year one thousand eight hundred and twenty one con-jointly with John Bull, the owner and occupier of the said next adjoining lot number until sold conveyed and released by special deed unto Daniel Haight, Gilbert Dorland and Jonathan Clark, Trustees appointed by said Monthly Meeting the same above described piece or parcel of land together with a like quantity of three acres given and granted jointly as aforesaid by the said John Bull forever, making in the whole six acres be the same more or less, agreeable to the tenor of the aforesaid joint deed now in force, and on the records of this County of Prince Edward in book, N, pages 173 and 174, bearing date the 18th day of February, 1829. 16150

And whereas it appearing that in consequence of a certain act of the Statutes of this Providence bearing date the 25th day of March, 1828, prohibiting any congregated sect, as members of a religious society &c., to hold any more than five acres of land as the property of said meeting, &c. The rights of inheritance in said grantee six acres may not be transferable to any trustees of the said Monthly Meeting of West Lake in perpetuity, but in case it exist in right of inheritance at the time of the decease of the last surviving Trustee as mentioned in the original deed.

He the said Jonathan Bowerman in order to fulfil and realize his said original contract with said 16160
 Monthly Meeting in a state of perpetuity doth hereby for him, his heirs, executors, administrators and
 assigns, establish and confirm unto the said Trustees herein first named in Trust for said Meeting the
 full right of inheritance forever as aforesaid in a state of legal reversion. That is to say that this in-
 denture shall be valid in law and remain in full force and virtue by retaining the full and lawful pos-
 session and occupation of the said demised premises to the Monthly Meeting as aforesaid and to come
 in full force perpetuity, and right of inheritance at the precise juncture and instant of time in which
 the last surviving trustee shall die. To wit:—The aforesaid David Haight, Gilbert Dorland and
 Jonathan Clarke, as acting trustees to said original deed. And the said Jonathan Bowerman doth
 hereby for him, his heirs, executors, administrators and assigns forever warrant and defend in peasable
 right of inheritance, the within mentioned premises to the said trustees of said Meeting, and to their 16170
 successors in trust as aforeaid, subject to the foregoing clause of unity with the Yearly Meeting in
 London, and in violation whereof this deed to be well and void.

In witness whereof the said Jonathan Bowerman hath hereunto set his hand and seal, the day
 and year first above written.

Signed sealed and delivered in the presence of.

Signed. { JOHN D. HAIGHT,
 VINCENT BOWERMAN,

Signed. JONATHAN BOWERMAN, L. T.

Memorial registered in the Registry Office for the County of Prince Edward, 13th day of Decem-
 ber, 1836, in Book "T" pages 449, 450 and 451, No. 2797.

EXHIBIT "C"

16180

Discepline of New York Yearly Meeting—1810.

EXHIBIT "D"

Discepline of New York Yearly Meeting—1859.

EXHIBIT "E"

Minutes of New York Yearly Meeting—1865.

EXHIBIT "F"

Minutes of Canada Yearly Meeting—1867.

EXHIBIT "G"

Minutes of Canada Yearly Meeting—1868.

EXHIBIT "H"

1619

Minutes of Canada Yearly Meeting—1869.

EXHIBIT "I"

Minutes of Canada Yearly Meeting—1870.

EXHIBIT "J"

Proceedings of Yearly Meeting—1871.

EXHIBIT "K"

Proceedings of Yearly Meeting—1872.

EXHIBIT "L"

Proceedings of Yearly Meeting—1873.

EXHIBIT "M"

Proceedings of Yearly Meeting—1874.

EXHIBIT "N"

Book of Meetings—1875.

EXHIBIT "O"

Minutes of Canada Yearly Meeting—1876.

EXHIBIT "P"

Proceedings of Yearly Meeting—1877.

EXHIBIT "Q"

Proceeding of Yearly Meeting—1878.

EXHIBIT "R"

Minutes of Canada Yearly Meeting—1879.

EXHIBIT "S"

Minutes of Yearly Meeting—1880.

EXHIBIT "T"

Minutes of Canada Yearly Meeting—1881.

EXHIBIT "U"

Minutes of Canada Yearly Meeting—1882.

EXHIBIT "V"

Minutes of Canada Yearly Meeting—1883.

16200

16210

PLAINTIFFS' EXHIBIT W.

16220

Record of Proceedings of Friends Meeting. Copy No. 6119, Hallowell. No. 3715, Hillier.

Moved by Charles G. Bowerman, seconded by John H. Cronk, that Robert H. Saylor be Chairman of this meeting.

Moved by Joshua B. Dorland, seconded by David Saylor, that Charles G. Bowerman be Secretary of this meeting.

Moved by David Saylor, seconded by Alexander Derbyshire, that Cory B. Cronk, Bennet Bowerman, John T. Dorland, Stephen W. White, Anthony Haight, and Anthony T. Haight, be and they are hereby appointed Trustees for the West Lake Montly Meeting of Friends of the following lands and premises. That is to say. parcel No. 1, all that certain parcel or tract of land situated, lying and being in the Township of Hallowell, Midland District and Providence of Upper Canada, containing by ad- 16230 measurement six acres be the same more or less composed of a part of lots number nine and ten in the Second Concession, Military Tract which said land is butted and bounded or may be otherwise known that is to say commencing at a post marked A, north of the meeting house and on the line between the aforesaid lots number nine and ten, then running north seventy degrees west eight rods, then south twenty degrees west sixty rods more or less to the waters edge of a creek south of the aforesaid Meeting house, then an easterly course along the creek sixteen rods, then north twenty degrees east sixty rods more or less, then north seventy degrees, west eight rods to the place of beginning.

Parcel No. 2. All that certain parcel or tract of land and premises, situated and lying and being in the Township of Ameliasburg, now Hillier, County of Prince Edward, and Province of Upper Canada, being part of Lot No. 3, first concession, Lake side, in the said Township of Hillier, containing by ad- 16240 measurement one acre and a half, which said acre and a half is butted and bounded, or may be otherwise known as follows :—That is to say, commencing at a stake or post marked A B at the roads edge at the west side of said Lot, thirty-seven chains from the waters edge, thence north seventy degrees, east five chains, thence north twenty degrees, west three chains, thence south seventy degrees, west to the roads edge five chains, thence south twenty degrees, east three chains to the place of beginning. Carried.

Dated Bloomfield (April) 4th Month 30th, 1883.

[Sg'd]

ROBERT H. SAYLOR,

Chairman.

[Sg'd]

G. S. BOWERMAN,

Secretary.

16250

Signed in presence of

A. B. SAYLOR,

Post Master.

}

[Sg'd]

County of Prince Edward, to wit.—I, Abraham Barker Saylor, of the Township of Hallowell, in the County of Prince Edward, affirmed and say, That I was personally present, and the signatures of Robert H Saylor, and of C. G. Bowerman were both acknowledged by each of them respectfully, to be

their proper handwriting and signatures to this document, and to a duplicate thereof. That the said signatures were acknowledged at the Township of Hallowell. That I know the said Robert H. Saylor and C. G. Bowerman, and that I am a subscribing witness to the acknowledgment of said signatures.

[Sg'd]

A. B. SAYLOR.

16260

AFFIRMED before me at Hallowell, in the County of Prince Edward, this 22nd day of June, 1883.

} (Sg'd) JOHN FRELEIGH, J. P.

I certify that the within is a true copy of a record of proceedings Registered in the Registry Office for the County of Prince Edward in Book L No. 6119 for Hallowell.

(Sg'd) Walter MacKenzie, Registrar.

I certify that the within is a true copy of a record of proceedings Registered in the Registry Office for the County of Prince Edward in Book G No. 3715 for Hillier.

(Sg'd) Walter MacKenzie, Registrar.

Copy No. 6118, Hallowell. No. 3714, Hillier.

Moved by John G. Dorland, seconded by John H. Cronk, that Robert H. Saylor be Chairman of this meeting. 16270

Moved by John H. Cronk, seconded by Stephen W. White, that Samuel C. Saylor be Secretary of this meeting.

Moved by C. G. Bowerman, seconded by J. H. Cronk, that pursuant to revised statutes of Ontario chapter 216, a notice in the words and figures following, that is to say, notice is hereby given that whereas by deed dated the 14th day of May, 1821, and made between Jonathan Bowerman and John Bull of the one part and Jonathan Clark, Daniel Haight and Gilbert Dorland, Trustees of West Lake Monthly Meeting of Friends appointed by said Monthly Meeting to secure the titles of Meeting House lots and burying grounds of the other part.

We the said Jonathan Bowerman and John Bull for the consideration therein mentioned did grant, bargain and sell to said Jonathan Clark, Daniel Haight and Gilbert Dorland and to their successors in trust for said Monthly Meeting all that certain parcel and tract of land situate, lying and being in the Township of Hallowell, in the County of Prince Edward, and being a part of lots number nine and ten in the second concession described as follows, commencing at a post marked A north of the Meeting House and on the line between the aforesaid lots number nine and ten, then running north seventy degrees west eight rods, then south twenty degrees, west sixty rods more or less to the waters edge of a creek south of the aforesaid Meeting House, then an easterly course along the creek sixteen rods then north twenty degrees east sixty rods more or less, then north seventy degrees west eight rods to the place of beginning (and being the meeting house and burying grounds at Bloomfield as used and engaged by said Society) to have and to hold said lands unto the aforesaid trustees and to their successors in trust as said Meeting should from time to time see cause to appoint for the only use and benefit of said meeting, and whereas the said Jonathan Clark, Daniel Haight, and Gilbert Dorland have since died, and whereas by deed dated the seventeenth day of June, 1825, and made between Reuben McCartney, of the one part and Cornelius White, Samuel Barker, Gilbert Dorland and Stephen Niles, Trustees for the Society of Friends of the Monthly Meeting of West Lake to secure the titles of Meeting House 16280 16290

lots and burying grounds in the Township of Hillier, in the County of Prince Edward, the said Robert McCartney for the consideration therein mentioned, did grant, bargain and sell to the said Cornelius White, Samuel Barker, Gilbert Dorland and Stephen Niles, and their heirs and successors in trust for the said Monthly Meeting all that certain parcel or tract of land situate, lying and being in the Township of Hillier described as follows commencing at a stake or post marked A B at the west side of said lot thirty seven chains from the waters edge, thence north seventy degrees east five chains, thence north twenty degrees west three chains, thence south seventy degrees west to the roads edge five chains to 16300 the place of beginning (and being the Meeting House and burying grounds at Wellington, used and enjoyed by the said Society.

To have and to hold said lands unto the aforesaid Trustees for said Society and their heirs and assigns forever in trust and for the use and benefit of said Society and Meeting and whereas the said Cornelius White, Samuel Barker, Gilbert Dorland and Stephen Niles have since died. A Meeting of said West Lake Monthly Meeting of Friends will be held at said Meeting House in the Village of Bloomfield on the twenty first day of first month (April,) 1883, at eleven o'clock in the forenoon pursuant to the revised statutes of Ontario, chapter 216 to determine in what manner the successor to said Trustees shall be appointed.

Dated the tenth day of April, 1883.

16310

(Signed)	BENNET BOWERMAN.
(Signed)	SAMUEL SAYLOR.
(Signed)	ASHUR A. BOWERMAN.
(Signed)	ROBERT H. SAYLOR.
(Signed)	J. B. DORLAND.

Members of said West Lake Monthly Meeting of Friends.

Was affixed to the door of the said Meeting house at the Village of Bloomfield, and also to the door of said Meeting house at the Village of Wellington, being the place of worship of West Lake Monthly Meeting of Friends, at least eight days previous to the day appointed for holding such Meeting, and at such meeting now duly held pursuant to said notice, it is hereby determined by the votes of a 16320 majority of the members of the said West Lake Monthly Meeting of Friends present at such Meeting that the successors to said trustees of said lands shall be appointed out of the members of said West Lake Monthly Meeting of Friends, at a public meeting duly convened by notice in writing signed by at least five members of said Society and affixed to the door of their place of worship (viz: their Meeting house at Bloomfield and Wellington) at least eight days previous to the day appointed for holding such meeting.

Carried.

(Sg'd) ROBERT H. SAYLOR,

Chairman.

(Sg'd) SAMMUEL C. SAYLOR,

Secretary.

16330



Signed in presence of

A. B. SAYLOR, } (Sg'd)
Post Master.

County of Prince Edward, to wit : —I, Abraham Barker Saylor, of the Township of Hallowell, in the County of Prince Edward, affirmed and say that I was personally present, and the signatures of Robert H. Saylor and of Samuel C. Saylor, were both acknowledged by each of them respectively to be their proper handwriting and signatures to this document and to a duplicate thereof, that the said signatures were acknowledged at the Township of Hallowell.

That I know the said Robert H. Saylor and Samuel C. Saylor.

16340

That I am a subscribing witness to the acknowledgement of said signatures.

Signed. A. B. SAYLOR.

AFFIRMED before me at Hallowell, in the County of Prince Edward, this 22nd day of June, 1883. } Signed JOHN FRALEIGH, J. P.

I certify that the within is a true copy of proceedings registered in the Registry Office for the County of Prince Edward, in Book L No. 6118, for Hallowell.

(Signed) WALTER MACKENZIE, Registrar.

I certify that the within is a true copy of a record of proceedings registered in the Registry Office for the County of Prince Edward in Book G, No. 3714 for Hillier.

(Signed) WALTER MACKENZIE, Registrar.

16350

PLAINTIFFS EXHIBIT X.

Moved by Charles G. Bowerman, seconded by John H. Cronk, that Robert H. Saylor be Chairman of this Meeting.

Moved by Joshus B. Dorland, seconded by Daniel Saylor, that Charles G. Bowerman be Secretary of this Meeting.

Moved by David Saylor, seconded by Alexander Derbyshire, that Cory B. Cronk, Bennet Bowerman, John T. Dorland, Stephen W. White, Anthony Haight and Anthony T. Haight, be and they are hereby appointed Trustees for the West Lake Monthly Meeting of Friends of the following lands and premises, that is to say :

Parcel No. 1. All that certain parcel or tract of land situated, lying and being in the Township of Hallowell, Midland District and Province of Upper Canada containing by admeasurement six acres be the same more or less composed of a part of lots number nine and ten in the second concession, Military Tract which said land is butted and bounded or may be otherwise known, that is to say. Commencing at a post marked A north of the Meeting House and on the line between the aforesaid lots number nine and ten, then running north seventy degrees west sixty rods more or less to the waters edge of a creek south of the aforesaid Meeting House. Then an easterly course along the

16360

creek sixteen rods then north twenty degrees east sixty rods more or less, then north seventy degrees west eight rods to the place of beginning.

Parcel No. 2. All that certain parcel or tract of land and premises situated and lying, and being in the Township of Ameliasburg, now Hillier, County of Prince Edward and Province of Upper Canada 16370 being part of lot number three first concession Lake Side in the said Township of Hillier containing by admeasurement one acre and a half which said acre and a half is butted and bounded or may be otherwise known as follows. That is to say, commencing at a stake or post marked A B at the roads edge at the west side of said lot thirty seven chains from the waters edge, thence west seventy degrees east five chains, thence north twenty degrees west three chains, thence south seventy degrees, west to the roads edge five chains, thence south twenty degrees east three chains to the place of beginning. Carried.

Dated Bloomfield (April) 4th Month, 30th 1883.

(Sg'd)

ROBERT H. SAYLOR

Chairman.

(Sg'd)

C. G. BOWERMAN,

16380

Secretary.

Signed in presence of

Signed, A. B. SAYLOR, }
Postmaster.

County of Prince Edward, to wit :—I, Abraham Barker Saylor, of the Township of Hallowell, in the County of Prince Edward, affirmed and say.

That I was personally present, and the signatures of Robert H. Saylor and of C. G. Bowerman, were both acknowledged by each of them respectively, to be their proper handwriting and signatures to the document and to a duplicate thereof.

That the said signatures were acknowledged at the Township of Hallowell.

16390

That I know the said Robert H. Saylor and C. G. Bowerman, and that I am a subscribing witness to the acknowledgment of said signatures.

Signed.

A. B. SAYLOR.

AFFIRMED before me at Hallowell, in the County }
of Prince Edward, this 22nd day of June, 1883.

Signed

JOHN FRELEIGH, J. P.

I certify that the within is a true copy of an instrument registered in the Registry Office for the County of Prince Edward, in Book L No. 6119, for Hallowell.

Signed.

T. BOG,

Deputy Register.

Copy.

16400

I certify that the within instrument is duly entered and registered in the Registry Office for the County of Prince Edward, in Book G, for the Township of Hillier, at 3 o'clock, 34 minutes of the afternoon of the 23rd day of June, A. D., 1883. No. 3715.

Signed.

T. BOG,

Deputy Registrar.

Copy.

I certify that the within instrument is duly entered and registered in the Registry Office for the County of Prince Edward, in Book L for the Township of Hallowell, at 3 o'clock 32 minutes of the afternoon of the 23 day of June, A. D. 1883. No. 6119.

Signed.

T. BOG,

Deputy Registrar. 16410

PLAINTIFFS EXHIBIT "Y."

FRONTPIECE.

Preparative Meeting Quotas.

By a revision made 8th month 20th, 1868.

West Lake Preparative pays 54 per cent., Ameliasburg Preparative pays 46 per cent., on all moneys revised by the Monthly Meeting

At the Monthly Meeting in 1st month, 1880, the names of the above Preparative Meetings were changed to Bloomfield and Wellington respectively.

West Lake Quarterly pays 33 per cent. on all money ordered by Yearly Meeting, by a revision of the quotas by the Four Months Meeting held 2nd month 4th, 1882..

16420

West Lake Monthly Meeting pays 40 per cent.

Colk Creek Monthly Meeting pays 30 per cent.

Kingston Monthly Meeting pays 20 per cent.

Leeds Monthly Meeting pays 10 per cent.

West Lake Monthly Meeting minutes, 1877.

1877, 1st Month, 18th. At West Lake Monthly Meeting held at Bloomfield, 1st month, 18th, 1877, the representatives being called were present, the queries were all read with answers to the usual six from the Preparative Meetings and the following summary was adopted for the Four Months Meeting.

The advices were also read.

16430

John T. Dorland, Chas. G. Bowerman, Anthony Haight and Alexander Derbyshire were appointed Representatives to the Four Months Meeting to take the business from this and report.

Stephen W. White and Levi V. Bowerman, were appointed as caretakers to assist in seating people and in preserving good order at the ensuing Four Months Meeting.

Received from Bloomfield Preparative Meeting a resignation of membership with Friends signed John S. White as follows. "I wish to resign my membership in your Religious Society at once and cause you no further trouble." Chas. G. Bowerman and Anthony Haight were appointed to visit him for the purpose of removing if practible the cause of his resignation and of restoring him to fellowship with the society. Our business being accomplished the meeting concluded.

(Signed) LEVI VARNEY, 16440

CLERK.

2nd Month 15th.—At West Lake Monthly Meeting of Friends held at Wellington 2nd Month, 15th 1877, Representatives being called were present.

The Representatives to the Four Months Meeting reported they all attended.

By a minute from the Four Months Meeting the Monthly Meetings were directed to pay the balance of their representative quotas of money and pay to the clerk of that Meeting.

The caretakers reported they attended to their appointments.

The Committee appointed in the case of John S White reported that they had visited him but their labors had not been availing in removing the cause of his resignation and that they thought best to releive him,

16450

Their report was accepted and Cory B. Cronkhite and William Garrett were appointed to inform him thereof and to report.

Bloomfield Preparative Meeting forwarded to this Meeting a complaint against George Allen White for selling intoxicating liquors and denying it. John T. Dorland and Alexander Derbyshire were appointed to visit him thereon and report.

Wellington Preparative Meeting reported the money for a Friend travelling in the Ministry raised and paid as directed.

Our business being accomplished the Meeting concluded.

(Sg'd)

LEVI VARNEY,

Clerk.

16460

3 Month. 15th. At West Lake Monthly Meeting of Friends held at Bloomfield, 3 month, 15th, 1877, the Representatives being called were all present except one.

No report relative to the money called for by the Four Months Meeting.

The committee appointed to inform John Stanley White of the conclusion of this Meeting in his case reported attention. They were continued.

The committee appointed to visit George Allen White on account of a complaint against him reported that they had made him a visit but he did not appear to be in a disposition to give them any satisfaction. The report was accepted and Levi Varney, and Levi V Bowerman were appointed to prepare a testimony of denial against him and to produce it at our next meeting.

Chas. G. Bowerman, Henry Haight, and John T. Dorland were appointed to bring to next meeting 16470 the names of two suitable Friends in each Preparative Meeting to serve as overseers of the poor.

Our friend Johnson Brewer, returned the certificate granted him by this Meeting in 5th month last for religious service within the limits of New England Yearly Meeting with information that he had been favored to accomplish the service to the peace of his mind. He also produced a number of

returning minutes which were read to the satisfaction of Friends.

The Trustees of that meeting were directed to give a quit claim deed of all the property held in trust by them within the limits of Cold Creek Monthly Meeting to the trustees of that Meeting.

The Clerk was directed to give this information to Thomas Clark, and to ask him to give us the the name of Trustees of Cold Creek Monthly Meeting, and such other information as may be necessary in the case.

16480

Our friend William Allen, a minister acceptably attended this meeting with a certificate of unity from Oak Ridge Monthly Meeting held in Grant Co. Ind., 9 month, 12th 1876. endorsed by Northern Quarterly Meeting.

Our friend William H. Bond, acceptably attended this Meeting as companion to William Allen, with a certificate from Oak Ridge Monthly Meeting held in 12th month, 1876.

The Clerk was directed to furnish them with copies of the foregoing minutes respectively.

Our business being accomplished at this time, the meeting concluded.

(Sg'd)

LEVI VARNEY,

Clerk.

4th Mo 19th.—At West Lake Meeting of Friends held at Bloomfield. 4 Mo. 19th, 1877, the representatives being called, were present except one. 16490

The Committee to inform John S. White of the conclusion of this meeting in his case reported the appointment answered.

The Committee to prepare a testimony of denial against George Allen White, produced the following viz :—George Allen White, having so far deviated from the order, of our Society as to sell intoxicating liquor, and our labor for his reformation proving unavailing, we hereby testify against his being any longer a member amongst us until by repentance and amendment of life he shall be restored to unity with Friends which it is our desire he may be favored to do. Which being read was approved and Alexander Derbyshire and James W. Noxon, were appointed to inform him, show him a copy thereof, inform him of his right to appeal and to report.

16500

The Committee to bring to this meeting the names of Friends to serve as overseers of the poor not being ready to report were continued.

One of the Trustees of this Meetings property reported that way did open to transfer the property within the limits of Cold Creek Monthly Meeting to the Trustees of that Meeting. His report was accepted and it was decided that no further action be taken in the case unless that Monthly Meeting requests it.

No further business appearing the Meeting concluded.

(Sg'd.)

LEVI VARNEY,

Clerk.

5th Mo. 17th. At West Lake Monthly Meeting of Friends held at Wellington, 5th Mo., 17th 1877 16510
the Representatives being called were present.

The queries were all read with answers from the Preparative Meetings, and the following summary was prepared for the Four Months Meeting. The advices were also read.

Anthony Haight, Allen M. Dorland, Alexander Derbyshire and Antony T. Haight were appointed Representatives to the Four Months Meeting with the business from this, and to report to our next Meeting.

The Committee to show George Allen White a copy of the testimony of denial against him not being ready to report were continued.

The Committee to bring forward the names of suitable Friends to serve as overseers of the poor, presented the following, viz : Levi V Bowerman, James W. Noxon, Anthony T. Haight and Cory B. Cronkhite, which being considered, were approved and the Friends' names were appointed to that station for three years. 16520

The money for the Yearly Meeting use is all raised and paid in Wellington Preparative Meeting. Not all raised in Bloomfield Preparative.

The money called for to assist in building the Boarding School is not all raised.

The following statistics were prepared by the Preparative Meetings, viz :—

Number of members,	-	-	185	
" " families,	-	-	28	
" " parents of families,	-	-	37	
" " children of school age,	-		37	16530
" " deceased within the year	-		3	
" " births	-	-	0	
" " removals,	-	-	0	
" " Received,	-	-	0	
" " Resigned,	-	-	1	
" " disowned	-	-	1	

Stephen W. White and George G. Lear were appointed Representatives to the ensuing Monthly Meetings with the business from this and to report.

No further business appearing the Meeting concluded.

(Sg'd) LEVI VARNEY,

Clerk

16540

At West Lake Monthly Meeting of Friends held at Bloomfield 6 month. 21st 1877.

The Representatives being called were present.

The Representatives to the Four Months Meeting reported they all attended and they produced the following minutes, viz :—"At West Lake Four Months Meeting, held 6 months, 2nd, 1877, the Monthly Meetings were directed to raise the balance of their quotas for the Boarding School and pay to the Clerk of this Meeting."

'They were also directed to the observance of these Yearly Meeting Minutes relative to reading the Holy Scriptures in our families.' The Preparative Meetings were directed to the observance of these minutes.

16550

The Committee to show George A. White a copy of a testimony of denial against him, reported the appointment answered.

The money for the Yearly Meeting use was reported raised and paid.

Paul C. Haight, C. G. Bowerman, James W. Noxon, and Cory B. Cronk were appointed to bring to bring to the next Meeting the names of suitable Friends to serve as Overseers the ensuing year.

Our Friend Sarah B. Satterwaieth, a Minister, acceptably attended this Meeting, with a certificate from Holm Monthly Meeting held at Beekfoot the 16th of 3rd month, 1876, endorsed by the Quarterly Meeting of Cumberland and Northumberland, England, held at Carlisle 3rd month, 30th 1876.

Our Friend Anna Potts acceptably attended this Meeting as companion to our Friend Sarah B. Sutterthwaite, with a certificate from Philadelphia Monthly Meeting for the Western District held 4th 16560 month, 25th 1877.

The Clerk was directed to furnish them with copies of the above minutes respectively.

No further business appearing the Meeting adjourned.

(Sg'd) S. W. WHITE,

Clerk for the day.

By LEVI VARNEY,

Clerk.

At West Lake Montly Meeting held at Bloomfield, 7th month, 19th 1877, the Clerk being absent, Allen M. Dorland was appointed for the day.

The Representatives being called were present except one.

1657

The Committee appointed to bring forward the names of suitable Friends to serve as overseers submitted the following, viz .-Levi V. Bowerman, Stephen White, John T. Dorland and Anthony Haight, who being separately proposed and considered, were united with, and were appointed to that service for one year.

Stephen Cronkhite, having removed with his family to reside within the limits of Pickering Monthly Meeting, requested a certificate on their behalf. Anthony T. Haight, Cory B. Cronkhite and Anthony Haight, were appointed in connection with a Committee of Women Friends to make the necessary enquiry in the case and if nothing appears to prevent to produce one at next Meeting.

Our Friend James Nicholson Richardson, a Minister acceptably (?) attended this Meeting with a certificate from Lisburn Monthly Meeting held at Lisburn, Ireland, 3rd month 15th 1877, endorsed by 16580 Ulster Quarterly Meeting, 3rd month 19th 1877.

Joseph Ratliffe, a Minister acceptably (?) attended this Meeting with a certificate from Deer Creek Monthly Meeting held in Grant County, Ind., 3rd month, 8th 1877, endorsing Mississanawa Quarterly Meeting, 3rd month 10th, 1877.

Noah McLean, a Minister acceptably attended this meeting with a certificate from Spicewood, Montly Meeting held 4th month 12th, 1877, endorsed by West Grove Quarterly Meeting 4th month 14 1877.

The Clerk was directed to furnish them with copies of the above minutes respectively and sign them on behalf of this Meeting.

Our business at this time being accomplished, the meeting concluded. Minutes inscribed. 16590

By LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held at Wellington, 8 month, 16th, 1877.

The Representatives being called, were present.

The Committee to prepare a removal certificate for Stephen Cronkhite and family, produced one, which being read was approved by the Meeting, and the Clerk was directed to sign it and forward it to Pickering Monthly Meeting.

Came to this Meeting by way of the Overseers a complaint against Jacob Cronkhite, for absenting himself from our Meetings..

Robert H. Saylor and William Garrett were appointed to visit him thereon and to report. 1660

Also from Blooffield Preparative Meeting came a complaint against Joshua Waring for neglecting the attendance of our Meetings, and for marrying a person not in membership with us.

George G. Lear and Alexander Derbyshire were appointed to visit him thereon and to report.

Also from the same Preparative Meeting information was received that Joseph Kingston had married a person not in membership with us.

Charles G Bowerman and Alexander Derbyshire were appointed to visit him and to report.

Our business, being accomplished the meeting concluded.

(Sg'd)

LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held at Bloomfield 9 month, 20th, 1877.

16610

The representatives being called were present except one.

The queries were all read with the answers to the usual six as received from the Preparative Meetings, and the following summary was prepared for the Four Months Meeting. The advices were also read.

Robert H. Saylor, Alexander Derbyshire, S. W. White, and Johnson Brewer were appointed Representatives to the Four Months Meeting, with the business from this and to report.

The Committee to visit Jacob Cronkhite on account of a complaint against him, informed that they had not attended to their appointment. They were continued.

The Committee to visit Joshua Waring on account of a complaint against him, asked for longer time. They were continued to report next month.

16620

The Committee to visit Joseph Kingston, reported that one of them had made him a visit and that he was desirous to retain his membership which was accepted, and George G. Lear and Johnson Brewer were appointed to inform him of the conclusion of this Meeting and report.

The Clerk informed the Meeting that he had forwarded the certificate for Stephen Cronkhite and family as directed.

Allen M. Dorland and Alexander Derbyshire were appointed to bring to next Meeting the names of suitable Friends to serve as Clerk and assistant Clerk to this Meeting.

Anthony Haight and Anthony T. Haight were appointed to settle with the Treasurer and to report.

The Monthly Meeting directed the payment of one dollar and twenty-six cents to Levi Varney for 16630 express charges on Yearly Meeting Minutes in 1874, 75. 76.

Came to this Meeting from Bloomfield Preparative Meeting, a request to be joined in membership with Friends, signed Joshua B. Dorland. Anthony T. Haight, Anthony Haight and William Garratt were appointed to visit him and to report.

Also from the same Preparative Meeting, a request to be joined in membership with Friends, signed Asher Augustine Bowerman, Alexander Derbyshire, Allen M. Dorland and Robert H. Saylor, were appointed to visit him and to report.

Our business being accomplished for this time the Meeting concluded.

(Sg'd) LEVI VARNEY,

Clerk.

16640

West Lake Monthly Meeting of Friends held at Bloomfield, 10th month, 18th, 1877. The Representatives being called, are present.

The Representatives appointed to attend the Four Months Meeting, report two of them attended and produced a minute from that Meeting directing the Subordinate Meetings to raise their quotas of

\$300 for the Yearly Meeting, use this year, the quotas for the Four Months Meeting being \$99, the Preparative Meetings are directed to raise their respective quotas of said sum and pay to this Meetings Treasurer.

The Committee appointed in Jacob Cronkhite's case, report that one of them visited him and that he manifests no disposition to make any satisfaction, we are united to proceed against him and appoint John T. Dorland and Allen M. Dorland to prepare a testification against him and produce to next for 16650 its approval.

The Committee appointed to visit Joshua B. Dorland, on account of his request, report they have visited him to good satisfaction, they believe him in good measure convinced of Friends Principles and appears concerned to live accordingly, and did not see anything in the way of his being received into membership, he is accordingly received into membership with us and Robert H. Saylor and Stephen W. White are appointed to inform of the above conclusion and report to next meeting.

The Committee to visit Asher A. Bowerman, on account of his request report attention, but wish a longer time, they are continued to report next Meeting.

The Committee appointed in Joshua Waring case not ready to report, they are continued. No account of the Committee appointed to inform Joseph Kingston, of the action of the Meeting in his 16660 case.

The Committee appointed to settle with the Treasurer, report they done so and find a balance in his hand of \$9, 98.

The Committee appointed to bring the names of suitable Friends to serve for Clerk and Assistant, produce the names of Anthony Haight, for Clerk and Stephen White for Assistant, which being separately considered, were united with, they are appointed accordingly for one year.

(Sg'd)

ANTHONY HAIGHT,

Clerk.

At West Lake Monthly Meeting of Friends held at Wellington, 11th Month, 1877.

The Representatives from Wellington Preparative being called are present. No account from 16670 Bloomfield.

The Committee appointed to draw a testification against Jacob Cronkhite, produced one, which being read was approved by the Meeting.

John T. Dorland and Judah B. Hutchinson are appointed to show him a copy, and if required to give him one ; inform him of his right to appeal and report to next Meeting.

The Committee appointed to inform Joshua B. Dorland of his right of membership, report the appointment answered.

The Committee appointed to visit Ashur Augustus Bowerman, report they have visited him again to good satisfaction. They believe him to be in a good measure convinced of Friends principals. They did not see but that his life was consistent therewith. The Meeting is united to receive him into 16680

membership, and appoints Alexander Derbyshire and William Branscomb to inform him thereof, and to report to the next Meeting, &c.

No account from the Committee in Joseph Kingston's case. They are continued.

The Committee in Joshua Warring's case not ready to make a full report are continued.

Received at this time from Pickering Monthly Meeting a notice of their acceptance of our certificate on behalf of Stephen Cronk and family.

Testification against Jacob Cronkhite. Whereas Jacob Cronkhite, a member of our Society, having so far deviated from our established order as to absent himself from Meetings of Worship, and our labors of love having been bestowed without producing the desired effect, we therefore testify against his being any longer a member of our Society, until he by a consistent course of life may wish to become a member again which he may be favored to do is our desire. 16690

No more business the Meeting concludes.

(Sg'd)

ANTHONY HAIGHT,

Clerk.

At West Lake Monthly Meeting of Friends held at Bloomfield 12th Month 20th, '77.

The Representatives being called are present,

The minutes of Bloomfield Preparative Meeting held in 11th Month, 8th, 1877, not forwarded last month were read at this time.

The committee appointed in case of a testification against Jacob Cronkhite report the appointment answered. 16700

No account of the committee appointed to inform Joseph Kingston of the conclusion of the meeting in his case.

The Com, in Joshua Warring case report they have visited him and find him in no disposition to make Friends satisfaction after a time of consideration, the meeting is united in testify against his being any longer a member, and appoints Levi B. Bowerman and Levi Varney to inform him thereof and to report to next meeting.

Eliza H. Varney has at this time returned a minute granted her in 9th Month, 21st, 1876, stating that she had accomplished what she believed to be required of her to the peace and satisfaction of her own mind and we trust to the epification of those she labors among.

The business being accomplished the meeting concluded. 16710

(Sg'd)

A. HAIGHT,

Clerk.

At West Lake Monthly Meeting of Friends held at Bloomfield 1st Month, 17th, 1878.

The Representatives being called are present.

The queries were all read and the answers to the usual six, a summary of them are in substance as follows, the advices were also read.

Stephen W. White, Allen M. Dorland, David Branscom, Jonathan Brown and Anthony Haight are appointed representatives to attend the ensuing Four Months Meeting with the business to this and report to next meeting.

No account of the Committee appointed to inform Joseph Kingston of his continuance in membership they are continued.

The Committee to inform Joshua Warring that this Meeting had testified against him being any longer a member of the Society of Friends. Report not attended to. They are continued.

Robert H. Saylor, Stephen W. White and James W. Noxon are appointed to see to the proper seating at the Four Months Meeting and see that good order is maintained therein. The business being gone through the Meeting concludes.

(Sg'd)

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held at Wellington, 2nd month, 21st 1878. The Representatives being called are present.

16730

Our esteemed Friend Walter Morris, a Minister of the Gospel acceptably attended this Meeting with minute of unity and concurrence from Hardshaw East Monthly Meeting of Friends held at Manchester, England, 4th day of 1st month, 1878, and endorsed by Lancaster, and Cheshire Quarterly Meeting held at Preston the 17th day, 1st Month, 1878, and accomplished by a minute from the Representative Meeting of Friends held in London the 28th day of 18th Mo., the clerk is directed to furnish him with a copy of the above minute.

The Representatives appointed to attend the Four Months Meeting reported they attended.

The Caretakers report they attended.

No account from the Committee appointed to inform Joseph Kingston, of the action of the Meeting in his case they are continued with Alexander Derbyshire's name added.

16740

The Committee appointed to inform Joshus Waring, that the meeting had testified against his being any longer a member of the Society of Friends report it not attended to they are continued,

As the insurance on our Meeting will soon expire this Meeting directs the Trustees to renew the insurance when necessary and draw on the Treasurer for the expenses incurred thereby and appoints Corby B. Cronk, Paul C. Haight, Levi B. Bowerman, William Robinson and Alexander Derbyshire to raise the sum of \$16 for that purpose and pay to the Treasurer of this meeting. Then concluded.

(Sg'd)

ANTHONY HAIGHT, Clerk.

West Lake Monthly Meeting of Friends held at Bloomfield 3rd Month, 21st, 1878.

The Representatives being called are present.

The Committee appointed to inform Joseph Kingston of the action of this Meeting in his case 16750 report the appointment answered.

The Committee appointed to inform Joshua Warring of the action of this Meeting in his case report the appointment answered.

The Committee appointed to raise money to get the Meeting House insured, report not all raised. They are continued.

(Sg'd) ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends, held at Bloomfield, 4th month, 18th, 1878.

The Representatives being called are present.

The Committee appointed to raise to pay for insuring the Meeting House report not all 16760 raised. They are continued.

Came to this Meeting from the Wellington Preparative Meeting, a request to become a member of our Society, signed John T. Dorland, Jr. This meeting appoints Anthony Haight and Charles G. Bowerman to visit him on account thereof, see whether he is convinced of our Principles and that his line is consistent therewith and report to next meeting.

Our beloved Friend Eliza H. Varney laid before this Meeting a concern that had for some time accompanied her mind of visiting in the love of the gospel all the Meetings composing West Lake Four Months Meeting and of appointing Meetings among those not in membership with us within this and some Meetings in the adjoining Quarterly Meeting after consideration thereon, her prospect was united with and left at liberty to engage therein as the Lord may direct, she being a Minister in unity 16770 the Clerk is directed to furnish her a copy of the above Minute signed on behalf of this Meeting.

Our beloved Friend Eliza Brewer laid before this Meeting a prospect of visiting in the love of the Gospel some few meetings in this Quarterly Meeting, and of attending some other service as the Lord may direct. After a time of consideration thereon it was united with and she was left at liberty to move therein, she being a Minister in unity with us the Clerk is directed to furnish her with a copy of the above minute signed on behalf of this meeting.

Alexander Derbyshire expressed a concern to accompany Eliza Brewer in her proposed visit which was united with by the Meeting.

Came from the Women's Meeting for our unity a return minute of sojourn on behalf of Guliaelma Dorland, was united with the Clerk directed to sign it on behalf of the meeting. 16780

The business being accomplished the meeting concluded.

(Sg'd) ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held at Wellington, 5th month 16th, 1878.

The Representatives being called are present

The queries and answers to them were all read and the following is a summary of the answers. The advices were also read.

James W. Noxon, Robert H. Saylor, Levi V. Bowerman and Allen M. Dorland are appointed to attend the ensuing Four Months Meeting as our representatives with the business from this and report. 16790

James W. Noxon. Steven W. White, and Anthony T. Haight are appointed to attend the Four Months Meeting and see to the orderly seating thereof.

The Committee appointed to raise money to insure the Meeting House, report not all raised. They are continued to report next month.

The Committee appointed to visit John T. Dorland, jr., on account of his request, report that they have made him a visit to good satisfaction and would recommend that he be received into membership, with which this Meeting unites and appoints Cory B. Cronk and William Garratt to inform him thereof and report to next meeting.

Wellington Preparative Meeting says that the money called for by the Yearly Meeting for its use this year is forwarded. 16800

No account from Bloomfield Preparative Meeting.

The statistics are as follows :—

Number of Families,	-	-	-	-	-	30	
" " parts of families,		-	-	-	-	50	
" " Members,	-	-	-	-	-	189	
" " Children of school age, all attending district schools,						25	
" " Births,	-	-	-	-	-	1	
" " Deaths,	-	-	-	-	-	5	
" " Received,	-	-	-	-	-	4	
" " Resigned,	-	-	-	-	-	0	16810
" " Disowned,	-	-	-	-	-	4	

We forwarded from the Women's a proposition from the Meetings of Ministers and Elders to appoint Angelina Haight to the station of an Elder.

This Meeting appoints Joshua B. Dorland and John T. Dorland to join with a Committee of women Friends to hear and consider objections, if any, and to report to next Meeting.

Also came to this meeting from the Preparative of Ministers and Elders a proposition to appoint Anthony Haight to the station of an elder. Joshua B. Dorland and John T. Dorland are appointed to hear and consider objections if any and report to next meeting. Then concluded.

(Sg'd.)

ANTHONY HAIGHT,

Clerk

16820

West Lake Monthly Meeting of Friends held at Bloomfield, 6th month, 20th 1878.

The Representatives being called are present.

The Representatives appointed to attend the Four Months Meeting report they attended.

Our esteemed Friends Sarah V. Winslow, a Minister and her husband Isaac Winslow, an Elder acceptably attended this Meeting with a minute of unity from St. Albans Monthly Meeting of Friends held in the State of Maine, 5th month, 14th, 1878, endorsed by Fairfield Quarterly Meeting held 5th month, 25th, 1878. The Clerk is directed to furnish them with a copy of the above minute signed on behalf of the Meeting.

The Committee appointed to inform John T. Dorland, Jr. of his receipt into membership report the appointment answered.

16830

The money for the Yearly Meeting use is all raised and forwarded.

The Committee appointed to hear and consider objections if any to appointing Anthony and Angelina Haight to the station of Elders report they heard of no objections after a time of consideration thereon, the Meeting was united in appointing them to that station, the Clerk is directed to inform the Preparative Meeting of Ministers and Elders of the above appointments.

Was received at this time a certificate of removal on behalf of Joseph and Hannah Baker and Joseph Sanderson and family, namely, Sarah Ann Sanderson, wife of Joseph Sanderson, Rebecca Baker and adopted daughter, Ida Adella Sanderson.

The Clerk is directed to inform Cold Creek Monthly Meeting of our receiving the above certificate.

16840

The time for which the Overseers was appointed, will expire in next month. The following Friends are appointed to forward to next Meeting the names of suitable Friends to serve as overseers for one year, namely: Allen M. Dorland, Robert H. Saylor, William Garratt and Charles G. Bowerman.

The business being accomplished the Meeting concluded.

(Sg'd)

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held at Bloomfield 7th month 18th, 1878.

The Representatives being called are present except one.

Our esteemed Friend Thomas W. Ladd, a Minister acceptably attended this Meeting with a minute of unity from New York Monthly Meeting held 4th month 3rd, 1878 and endorsed by Westburg Quarterly Meeting of Friends held 4th month 24th, 1878. The Clerk is directed to furnish him with a copy of the above signed on behalf of this Meeting.

16850

Our esteemed Friend Louisa Painter, Minister acceptably attended this Meeting with a minute of

unity from Winstreet Monthly Meeting of Friends held at Hesper, Iowa, month 19th, 1878, endorsed by the Winstreet Quarterly Meeting held 1st month 26th, 1878. The Clerk is directed to furnish her with a copy of the above minute signed on behalf of this Meeting.

Oer esteemed Friend Anna B. Crawford, acceptably attended this Meeting as companion to Louisa Painter, with a minute of unity from Mariposa Monthly Meeting of Friends held at Mariposa, Province of Ontario, 7th month 10th, 1878. 16860

The Committee apointed to bring to this Meeting names of suitable Friends to serve as overseers; submit the following:—Anthony T. Haight, Arnold Haight, Stephen W. White and Alexander Derbyshire, which being separately read and considered was united with. They are appointed to that service for one year.

There being no more business this Meeting concludes.

(Sg'd)

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends, held at Wellington, 8th month, 15th, 1878.

The Representatives being called are present.

Came to this Meeting from Wellington Preparative a request for membership, signed Rufus Garratt. 16870

Anthony Haight, and Judah B. Hutchinson are appointed to visit him ; see that he is convinced of Friends principles, and that his life is consistent therewith and report to next Meeting.

Was received and placed in the Preparative Meeting's library, a portion of books sent from New York Yearly Meeting.

We unite with the women in accepting a removal certificate, on behalf of Ruth Emma Lombard.

Our beloved Friend Mary Ann Valentine, laid before this Meeting a prospect which had rested with weight on her mind, of visiting in the love of the gospel, most or all of the Meetings belonging to Pelham Quarterly Meeting, and some of the Meetings composing Yonge St. Quarterly, and of appointing some Meetings as she feels called to.

After a time of consideration thereon this Meeting is united in liberating her to the service, she 16880 being a Minister with us.

The Clerk is directed to furnish her with a copy of the above minute signed on behalf of this Meeting.

The business being accomplished, this meeting concludes.

(Sg'd.)

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held at Bloomfield, 9th Month 19th, 1878.

The Representatives being called are present except one, he absent for a short time.

The Queries were all read and the following summary answers were united with the advices were 16890 also read.

Anthony T. Haight, William Robinson, Anthony Haight and Alexander Derbyshire are appointed to attend the ensuing Four Months Meeting as our representatives with the business from this and report.

The Committee appointed to visit Rufus Garratt on account of his request not ready to report they are continued.

Received from Bloomfield Preparative Meeting notice that David Saylor had married a person not in membership with us. Allen M. Dorland and Anthony Haight are appointed to visit him on account thereof and report.

As the time for which the Clerks were appointed, will expire in next month. John T. Dorland 16900 and Alexander Derbyshire are appointed to forward to next Meeting the names of two Friends to serve in that capacity for one year.

The committee appointed to raise money to insure the meeting houses report not all raised, they are continued to report next month.

Received at this time direct from the Yearly our proportion of the minutes, and a number of this London Yearly Meeting Epistles which the representations are to proportion to the preparative meetings.

The business being accomplished the Meeting concluded.

(Sg'd) ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends, held 10th month, 17th, 1878.

16910

The representatives being called are present except one, a reason being assigned for his absence.

The Committee appointed to bring forward names of two Friends to serve as Clerk and Assistant Clerk offer the names of Anthony Haight for Clerk, and Stephen W. White for Assistant, which being separately considered were united with.

They were appointed to that service for one year.

The representatives appointed to attend the Four Months Meeting report that three of them attended and produced a minute from that meeting directing its subordinate meeting to raise \$550 for the use of the Yearly the year also to forward the balance called for the Yearly for the boarding school.

The Preparative Meeting are directed to the observance of the above minutes and pay the money to the Treasurer of Four Months Meeting.

16920

The Committee appointed to visit Rufus Garratt on account of his request report that one of them visited him (the one being sick) to good satisfaction, he believed him in a good measure convinced of Friends principles, and that his life is consistent, and would recommend that he be received into membership, which report was united with, and he received a member Jonathan Brown and John T. Dorland are appointed to inform him thereof and report to next meeting.

The Committee appointed to visit Davis Saylor on account of his marrying a person not in membership report they visited him that he wishes to retain his membership after consideration thereon we are united in allowing him to retain his membership and appoint Samuel Saylor and Stephen W. White to inform him of the above conclusion and report to next meeting.

The Committee appointed to raise money to insure the meeting houses report not all raised yet, 16930 they are continued to report next month.

Came to this meeting from Bloomfield Preparative Meeting a complaint against William Valentine for so far deviating from the good order of our society as to arrest a Friend travelling on the Ministry, amongst us, also being accessary to closing the meeting against Friends, for circulating for signature among Friends a document, the purport of which is a contradiction to the decision of the Monthly Meeting concerning a minute granted to Mary Ann Valentine, and also for defaming a Friends character.

Levi V. Bowerman, Jonathan Brown and John T. Dorland are appointed to labor with him on account thereof and report to next meeting.

We have at this the company of James F. Barker, Mary Stam, Elizabeth C. Garrett and Eliza 16940 Terrill a part of the Committee appointed by the Yearly to labour in subordinate meeting for the up-building of Truth.

The business being accomplished this meeting concludes.

ANTHONY HAIGHT,
Clerk.

West Lake Monthly Meeting of Friends held at Wellington 11th Month, 21st day, 1878.

The representations being called on present except one.

The Committee appointed to inform Rufus Garratt of his reception into Membership report the appointment answered.

The Committee appointed to inform David Saylor of his continuance into membership report the 16950 appointment answered.

The Committee appointed to raise money to pay for insuring the meeting houses report the money not all raised yet, they are continued to report next month.

Our esteemed Friend Eliza Brewer returned at this time a minute for service in the Ministry granted her in fourth month last informing the meeting that she had been enabled to accomplish it to the peace of her own mind.

Our esteemed Friend, Mary Anne Valentine, has at this time returned a minute granted her for service in the Ministry in eighth month last, informing the Meeting that she has been enabled to perform it to the peace of her own mind.

The committee appointed to labor with William Valentine on account of a complaint against him, 16960 report attention, but wish a longer time, they are continued to report in next month.

The business being accomplished the meeting concludes.

ANTHONY HAIGHT,
Clerk.

West Lake Monthly Meeting of Friends held at Bloomfield 12th month 19th, 1878, the representatives being called are present except one and a reason assigned for his absence.

The committee appointed to raise money to get the meeting houses insured report the money raised.

The committee appointed to labor with William Valentine on account of a complaint against him, report attention, but still wish a longer time, which was granted, they are continued to report in next 16970 month.

The business being accomplished, this meeting concludes.

ANTHONY HAIGHT,
Clerk

West Lake Monthly Meeting of Friends held at Bloomfield, 1st month 16th, 1879.

The Clerk being absent, Allen Dorland was appointed for the day, the representatives being called were present.

The queries were all read in this meeting with the answers to the usual six from the different Preparative Meetings, a summary of which is as follows, the advices were also read.

Stephen W. White, John T. Dorland, Joshua B. Dorland and Levi Bowerman are appointed to 16980 attend the ensuing Four Months Meeting, as our representatives with the minutes from this and report.

We, the committee to visit William Valentine on account of complaint by the overseers, containing several charges against him. which we think is a reproach to the Society of Friends, make the following report. The two first charges he admits, but said he did it for the best, and if he had it to do over again should try some other way. As to the third charge we know of no precedent warranting the circulation of such a document as set forth in the complaint. We furnish charges we find fully sustained and after laboring with him we trust in brotherly love find no disposition on his part to make any concessions or manifest a desire for reconsideration with the Friend relative to the defaming of his character. After a time of deliberation thereon it was accepted by the meeting and concludes to dis- 16990 own him and appoint William Robinson and Anthony T. Haight to prepare a testification against him produce it to next meeting for its approval.

The business being accomplished this meeting concludes.

ALLEN M. DORLAND,

Clerk for the day.

West Lake Monthly Meeting of Friends held at Wellington, 2nd month, 20th, 1879. The representatives being called were present except one

One of the representatives present appointed to attend the Four Months Meeting report they attended.

The committee appointed to draw up a minute of disownment against Wm. Valentine produced 17000 one which being read was not satisfactory to the meeting and was therefore referred back to the committee to produce one to next meeting.

The business being accomplished this meeting concludes.

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held 3rd month 20th, 1879, The representatives being called are present.

The committee appointed to draw up a minute of disownment against William Valentine produced the following :—Whereas Wm. Valentine having so far deviated from the good order of our Society as arrest a Friend travelling in the ministry among us. Also being accessory to closing the meeting house against Friends, and for circulating for signature among Friends a document the purport of 17010 which is a contradiction to the decision of the Monthly Meeting and also for defaming a Friend's character. Our labors often proved unavailing, we testify against his being any longer a member of our Society until he is willing to make Friends satisfaction which we desire he may. Which was satisfactory to the meeting, we therefore appoint Joshua B. Dorland and Charles G. Bowerman to show him a copy of the minute and if requested to give him a copy thereof and report to next meeting.

The business being accomplished the meeting concludes.

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held 4th month 17th, 1879. The representatives being called are present. 17020

The committee appointed to show Wm. Valentine a copy of a testimony against him, give him a copy if he requests one, and inform him of his right to appeal, report the appointment answered.

The business being accomplished this meeting concludes.

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held at Wellington 5th month 15th, 1879, the representatives being called are present except one.

The queries were all read and answers to them as forwarded from the Preparative Meetings. A summary of them are as follows. The advices were also read.

Anthony Haight, Anthony T. Haight, John T. Dorland, John Garrat, and Robert H. Saylor, are appointed our representatives to attend the ensuing Four Months Meeting with the business from this and report. 17030

The Preparative Meetings report the money called for by the Yearly Meeting for its use this year not all raised. They are continued to raise and forward it as directed.

William Valantine having forwarded his appeal against the decision of the Monthly Meeting for the following reasons, namely :—

1st. That I have committed no disownable offence. 2nd. That my disownment was the act of a party that control the Monthly Meeting, and not with the unity of sound part of Society. And 3rd that I have not been dealt with according to discipline.

We therefore appoint William Robinson, Anthony T. Haight, and John T. Dorland, to attend the Four Months Meeting as Representatives in the case with all the minutes relative to the case, and give such information may be required of them. 17040

The statistics of this Meeting was as follows :—

Number of families,	-	-	-	-	33
“ “ parts of families,	-	-	-	-	44
“ “ Members,	-	-	-	-	187
“ “ children of school age, all attending school,					30
“ “ deaths,	-	-	-	-	2

No births · 2 received convincement, none resigned membership ; no removals, 1 disowned.

The business being accomplished this Meeting concludes.

17050

(Sg'd)

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held 6th month, 19th, 1879.

The representatives being called are present.

The representatives appointed to attend the Four Months Meeting report they attended.

The Committee appointed as respondents in the appeal case report attention. They are continued.

The time for which the overseers were appointed will expire next.

William Robinson, John T. Dorland, Anthony Haight and Alexander Derbyshire are appointed to bring to next Meeting the names of suitable persons to serve in that capacity for one year, and

report.

17060

Wellington Preparative Meeting report their proportion of money called for by the Yearly, is all forwarded, being \$36.75.

Bloomfield Preparative Meeting report \$28.75 raised and forwarded, leaving balance \$19.36, which they are continued to raise and forward as directed.

The business being accomplished this Meeting concludes.

ANTHONY T. HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held 7th month, 17th, 1879.

The representatives being called are present except one.

The Committee appointed to bring to next Meeting the names of suitable Friends to serve as over-seers, submit the following, viz :—Anthony T. Haight, Arnoldi Haight, Stephen W. White, and Alexander Derbyshire, which being separately read and considered were in a good degree united with and they are appointed to that service for one year.

17070

Our esteemed Friend Elizabeth Mallison, a Minister acceptably attended this Meeting with a minute of unity and concurrence from Glen Falls Monthly Meeting of Friends, held 4th month, 30th, 1879, and endorsed by Glen Falls Quarterly Meeting of Friends, held 5th month, 17th, 1879.

The Clerk is directed to furnish her a copy of the above minutes, signed on behalf of this Meeting.

No more business this Meeting concludes.

ANTHONY HAIGHT,

17080

Clerk.

West Lake Monthly Meeting of Friends held 8th month, 21st, 1879.

The representatives being called are present.

Received at this time our proportion of the Yearly Meeting Minute, which the representatives are directed to distribute to the Preparative Meetings.

The business being accomplished the meeting concludes.

ANTHONY HAIGHT,

Clerk

West Lake Monthly Meeting of Friends held at Bloomfield, 9th month, 18th, 1879. The representatives being called are present except one.

17090

The queries were all read with answers to the usual six which are in substance as follows. The

advices were also read.

Robert H. Saylor, Alexander Derbyshire, Allen M. Dorland and Stephen W. White are appointed to attend the ensuing Four Months Meeting as our representatives with the business from this and report to next meeting.

Bloomfield Preparative Meeting report the balance of the money called for by the Yearly last year is not all raised, they are continued to raise and forward as directed.

Received at this time, our proportion of the London Yearly Meetings Epistles which is directed to the Preparative Meetings.

The meeting concludes.

17100

ANTHONY HAIGHT,

Clerk

West Lake Monthly Meeting of Friends held 10th month, 16th, 1879.

The representatives being called are present.

The representatives appointed to attend the Four Months Meeting report that two of them attended and produced a minute from that meeting directing subordinate meetings to raise their proportion of \$450 for the use of the Yearly Meeting this year. The Preparative Meetings are directed to raise their respective quotas of the above sum and pay to the clerk of this meeting

The committee appointed as Respondents in William Valentine's appeal case report the appointment answered.

17110

The time for which the Clerks were appointed having expired: Allen M. Dorland and William Garratt are appointed to bring to next meeting the names of two Friends to serve as clerk and assistant clerk for next year.

Bloomfield Preparative Meeting report the money called for by the Yearly Meeting last year not all raised yet, they are continued to raise and forward as directed.

The business being accomplished this meeting concludes.

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held at Wellington, 11th month, 20th, 1879.

The representatives being called are present except one and a satisfactory reason is assigned for his absence.

17120

The committee appointed to bring forward the names of two Friends to serve the meeting for clerk and assistant clerk. offer the names of Anthony Haight for Clerk and Stephen W. White for Assistant

Clerk, which being separately considered were united with and they were appointed to that service for one year.

No report from Bloomfield Preparative with regard to the money called for by the Yearly Meeting last year.

Came to this meeting from Bloomfield Preparative Meeting a proposition to sell a portion of the land off of the meeting house lot and apply the proceeds of the sale to paying the debt now standing for repairing the meeting house, and if there is any more received than is required to pay the debt it is 17130 to be laid out on repairs on the premises.

Cory B. Cronk, Stephen W. White and Allen M. Dorland are appointed to make sale of such portion of said lot as they may think advisable and report to next meeting.

Received from the Women's Meeting proposals of marriage, signed Gilbert Jones and Margaret Jane Hnbbs. She being a widow, this meeting appoints Robert H. Saylor, and Stephen W. White to see that the rights of her child are legally secured and report to next meeting.

As there is no further business this Meeting concludes.

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held 12th month, 18th, 1879.

17140

The representatives being called are present.

No report from Bloomfield Preparative relative to the money called for by that Yearly Meeting for its use last year. They are continued to raise and forward as directed.

The Committee appointed to make sale of such portion of the Meeting House lot at Bloomfield, as they may think advisable, &c., report attention, but not making a full report they are continued to report to next Meeting.

The Committee appointed to see that the rights of Margaret J. Hubbs' child is legally secured in the event of her marrying, report that her rights are legally secured, and he having produced a certificate expressive of his being clear of other like engagements, and information from the women expressing her clearness also, and nothing appearing to obstruct, their proposals are allowed by this Meeting, and 17150 they are left at liberty to accomplish this marriage at a Meeting appointed by this Meeting to be held at the house of Margaret Jane Hubbs, at three o'clock on the 24th instant, in accordance with the order of our Society.

Robert H. Saylor and David S. Hubbs are appointed to attend said marriage, see that it is orderly conducted, forward the certificate to the Recorder and report to next Meeting.

The business being accomplished this Meeting concludes.

ANTHONY HAIGHT,

Clerk.

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TO THOMAS HARRIS

Meeting of ... for the ...

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West Lake Monthly Meeting of Friends held at Bloomfield, 1st month 15th, 1880.

The representatives from the different Preparative Meetings being called are present.

17160

The queries were all read and the answers to the six are in substance as follows. The advices were also read.

Robert H. Saylor, Josiah Morden, Cory B. Cronk and William Robinson are appointed our representatives to attend the ensuing Four Month Meeting with the business from this and report to next meeting.

The com. appointed to sell such portion of the land here as they may think advisable report attention, but not ready to report, they are continued to report next meeting

The committee appointed to attend the marriage of Gilbert Jones and Margaret Jane Hubbs, report they attended said marriage and that it was orderly conducted and the marriage certificate is in the hands of the Recorder.

17170

Bloomfield Preparative Meeting report the money called for by the Yearly held in 1878, not all raised yet, they are continued to raise and forward as directed.

The business being accomplished the meeting concludes.

ANTHONY HAIGHT,

Clerk

West Lake Monthly Meeting of Friends held at Bloomfield, 2nd month, 19th, 1880

The Clerk being absent Allen M. Dorland was appointed for the day.

The representatives being called are present.

The representatives appointed to attend the Four Months Meeting, report they attended.

Bloomfield Preparative Meeting report the money called for by the Yearly Meeting held in 1878 for the use thereof is not yet all raised, they are still continued to raise and forward as directed.

17180

The committee appointed to sell such portion of the meeting house grounds at Bloomfield as they may think advisable, report some further attention, they are continued.

Came to this meeting from Bloomfield Preparative Meeting a request to be released from membership with signed James W. Noxan, Anthony T. Haight and John T. Dorland are appointed to visit him on account thereof and report.

Also from the same meeting a similar request, signed Henry Hubbs ; Johnson Brewer and William Garratt are appointed to visit him on account thereof and report.

Our business being accomplished, this meeting concludes.

ANTHONY T. HAIGHT,

Clerk.

1719

They are confined to
Biological Protective Work

Chief
Assistant
Inspector

The Committee
on Shipboard Sanitation

and
some
other
work

edit each portion of the article
they are assigned to report

to Henry Hubble
of the Bureau of Sanitation

Class of 1914

West Lake Monthly Meeting of Friends held 3rd month. 18th. 1880.

The representatives being called are present except one.

Bloomfield Preparative Meeting report the money called for by Yearly Meeting in 1878 not all raised yet. They are continued to raise and forward as directed.

The Committee appointed such portions of the grounds at West Lake Meeting as they may think best to sell, report some further attention, but not ready to make a full report. They are continued.

The Committee appointed to visit James W. Noxon on account of his resignation of membership report they have made him a visit, but could not succeed in getting him willing to withdraw his resignation. We therefore accept it and return him from membership and appoint Stephen W. White 17200 and Allan M. Dorland to inform him thereof and to report.

The Committee appointed visit Henry Hubbs on account of his sending a resignation of membership, report some attention. They are continued.

The business being accomplished this Meeting concludes.

ANTHONY HAIGHT,

Clerk

West Lake Monthly Meeting of Friends held 4th month, 15th, 1880.

The representatives being called are present except one and a satisfactory reason given for his absence.

Bloomfield Preparative report no further progress toward raising the money for the Yearly Meet. 17210 ing ordered in 1878, they are continued to raise and forward as directed.

The committee appointed to sell such portion of the meeting house ground as they may think advisable report further attention, they are continued to report when ready.

The committee appointed to inform James W. Noxon of the acceptance of his resignation report the appointment answered.

The committee appointed to visit Henry Hubbs on account of his wishing to resign his membership, report one of them having visited him. but being unable to remove the cause, we are united in accepting of his resignation, and appoint Alexander Derbyshire and Joshua B. Dorland to inform thereof and report.

According to Discipline we appoint John T. Dorland and Anthony Haight to look after and see 17220 that all of the old records of this and its subordinate meetings are given into the hands of the Recorder for reference when necessary.

The business being accomplished this meeting concludes.

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held at Wellington, 5th month, 20th, 1880.

The representatives being called are present.

The queries were all read and answers to them as forwarded from the Preparative Meetings, a summary of them is as follows.

The advices were also read.

17230

John T. Dorland, Stephen White, Anthony T. Haight and Josiah Morden are appointed to attend the ensuing Four Months Meeting as our representatives from this and report.

The committee appointed to inform Henry S. Hubbs of the acceptance of his resignation by this meeting, report the appointment answered.

Bloomfield report no further progress towards raising the money called for by the Yearly Meeting in 1878, they are continued to raise as directed:

The committee appointed to sell if practicable a portion of the land belonging to Friends at Bloomfield report attention, and find that they cannot proceed any further in the matter according to law, respecting conveyancing land held by religious societies. They are released from any further action in the matter.

17240

The committee appointed to get the record of the Monthly and place them in the hands of the Recorder, report they have succeeded in all the records since the separation up to the present time, and one book of records from the commencement of Friends in Canada up to 1813 are in the hands of Dr. Dorland's family, where they can be had for reference when needed:

Came to this Meeting from Wellington Preparative Meeting complaints against James and Albert Pettel for neglecting the attending of our meetings for worship. Charles G. Bowerman and Stephen W. White are appointed to labor with him on account thereof and report to next meeting.

Wellington Preparative Meeting report the money called for by last Yearly for its use is raised and forwarded its proportions being \$30.20.

No report from Bloomfield Preparative. They are continued to raise and report as directed.

17250

This Meeting concludes.

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held 6th month, 17th, 1880.

The representatives being called are present.

The representatives appointed to attend the Four Months Meeting report they attended.

The Committee appointed to visit James and Albert Pettel on account of complaint against them, not ready to report. They are continued.

Bloomfield Preparative Meeting report the money called for by the Yearly Meeting held in 1878 all forwarded and \$2 on their quota for the Yearly Meeting held in 1879. They are continued to raise 17260 as directed.

Balance due from Bloomfield \$32 24.

The time for which the overssers were appointed will expire next month.

Allen M. Dorland, William Garratt, and Levi Varney are appointed to bring names of suitable Friends (to next Meeting) to serve in that capacity for one year.

The business being accomplished this Meeting concludes.

ANTHONY HAIGHT,

Clerk

West Lake Monthly Meeting of Friends, held 7th Month, 15th, 1880.

The representatives being called are present.

17270

Bloomfield Preparative Meeting report no further progress towards raising money for the Yearly Meeting use. They are continued to raise as directed.

Our esteemed Friend Elwood Silver, a Minister acceptably attended this Meeting with a minute of unity and concurrence from Bloomfield Monthly Meeting of Friends held at Park County, Indiana, 5th month, 12th, 1880, and endorsed by Bloomfield Quarterly Meeting held 5th month, 15th, 1880.

Our esteemed Friend, Amos Kenworthy, a minister, acceptably attended this meeting with a minute of unity and concurrence from Raysville Monthly Meeting of Friends held at Raysville, Theney County, Indiana, 5th month, 22nd, 1880, and endorsed by Spiceland Quarterly Meeting held at Spice-land, Indiana, 6th month, 12th, 1880. The Clerk is directed to furnish the Friends a copy of the above minutes respectively, signed on behalf of this meeting.

17280

The committee to visit James and Alfred Pettel, on account of a complaint against them, not ready to report, they are continued to report next month.

This meeting concludes.

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held at Wellington, 8th month, 14th, 1880.

The representatives being called are present.

Bloomfield Preparative report no further progress towards raising the money called for by the Yearly Meeting last year, 1879, they are continued to raise and forward in tenth month next.

The committee appointed to visit James and Albert Pettel on account of a complaint against them, 1729

not being ready to report they are continued to report in next month, with the addition of Allen M. Dorland to the committee.

The Committee appointed to bring to next Meeting, the names of suitable to serve as overseers, submit the following, viz :—Anthony Haight, Judah B. Hutchinson, Stephen W. White and Amos Bowerman, which being separately read and considered, were united with, and they were accordingly appointed to that service for one year.

Came from Bloctonfield Preparative Meeting a request to be joined in membership with us, signed Charles Fenamore.

Alexander Derbyshire and John T. Dorland are appointed to visit him, see that he is convinced of Friends principles, and that his life and conversation is consistent therewith and report to next Meeting. 1730C

Was received our proportion of books and tracts from the Book and Tract Committee, as distributed by the Yearly Meeting. Also the minutes of the Yearly Meeting and London Yearly Meeting generally epistles.

The representatives are directed to proportion the above to the Preparative Meetings.

This Meeting concludes.

ANTHONY HAIGHT,

Clerk

West Lake Monthly Meeting held 9th month, 16th, 1880.

The representatives being called are present except two, a satisfactory reason assigned for the absence of one.

17310

The queries were all read and answers to the usual six are in substance as follows.

The advices were also read.

William Robinson, Allen M. Dorland, Alexander Derbyshire and Charles G. Bowerman are appointed to attend the ensuing Four Months Meeting as our representatives with the business from this and report.

The committee appointed to visit James and Albert Pellet on account of a complaint against them, not being ready to report they are continued to report next month.

The committee appointed to visit Charles Finamore on account of his request, having visited him to good satisfaction believe him in a good degree convinced of Friends principles and did not discover but that his life and conversation was consistent after consideration thereon. We are united in receiving him into membership, and appoint Charles G. Bowerman and Anthony Haight to inform him thereof and report to next meeting. 17320

Was received at this time from Cold Creek Monthly Meeting a certificate of removal on behalf of Alfred Crawford and his wife Sarah and their two daughters, viz: Anna and Adelia Crawford, which

was satisfactory to the meeting the clerk is directed to hand it to the recorder.

We concur with the women in receiving the requests for membership of the following, viz: Ruthey Derbyshire and Anna D. Saylor.

This meeting concludes.

ANTHONY HAIGHT,

Clerk. 17330

At West Lake Monthly Meeting of Friends, held 10th month, 21st 1880.

The representatives being called are present.

The representatives appointed to attend the Four Months Meeting report three of them attended but failing to produce the business from that Meeting they are continued to produce it to our next Meeting.

The Committee appointed to visit James and Albert Pellet on account of a complaint against them report further attention, but not prepared to make a report. They are continued to report to next Meeting.

The Committee appointed to inform Charles Finamore of his right of membership, he being present has had the necessary information by one of the Committee, who is not present, on account of sickness. 17340

Bloomfield Preparative Meeting report no further progress towards raising the money ordered by the Yearly last year, for the use of the Yearly Meeting that year.

We unite with the Women's Meeting in receiving the requests of Mary Dorland Wister and Harriet McDonald for membership with us.

The time for which the Clerks were appointed will expire in next month.

Cory B. Cronk and Robert H. Saylor are appointed to forward to next Meeting the names of two Friends to serve in that capacity for one year.

As the former Trustees are infirm through age and otherwise, Anthony Haight, John T. Dorland, Stephen W. White, and Anthony T. Haight are appointed to succeed in trust then formerly appointed 17350 and power is vested in any three of them to transact any business said trust requires.

This Meeting concludes.

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held at Wellington, 11th month, 18th, 1880.

The representatives being called are present except one.

The Committee appointed to forward to next Meeting the names of Friends to serve as Clerk and Assistant not being prepared to forward to this Meeting are continued to forward them to next Meeting.

The representatives appointed to attend the Four Months produced a minute ordering the Subordinate Meetings to raise their proportion of \$500 for the use of the Yearly this year, this Meeting proportion being \$72 60. The Preparatives are directed to raise the last named sum and pay to this Meeting's treasurer. 17360

We unite with women in receiving Betsy Garratt into membership with us.

The committee appointed to visit James and Albert Pellet on account of a complaint against them, not being ready to report they are continued to report next month:

Bloomfield Preparative Meeting report the money for the Yearly Meeting in 1879 not all raised yet, they are continued to raise and forward as directed.

This meeting concludes.

ANTHONY HAIGHT,

17370

Clerk.

West Lake Monthly Meeting of Friends held 12th month, 16th, 1880.

The representatives being called are present.

The committee to forward the names of two Friends to serve this meeting as clerk and assistant submit Anthony Haight's name for clerk and Stephen W. White for assistant, which being separately read and considered were united with, they are appointed to that service for one year.

The committee appointed to visit James and Albert Pellet on account of a complaint against them, report some further attention, they are continued to report to next meeting.

Bloomfield Preparative report no further progress towards raising the money for the Yearly Meeting as ordered in 1879, they are continued to raise as directed. 17380

This meeting concludes.

ANTHONY HAIGHT,

Clerk

West Lake Monthly Meeting of Friends, held 1st Month, 20th, 1881.

The representatives being called are present.

The queries were all read and the answers to the usual six a summary of them is as follows:

The advices were also read.

Stephen W. White, Alexander Derbyshire, John T. Dorland, Jr., and Cory B. Cronk are appointed to attend the ensuing Four Months Meeting as our representatives with the business from this and report.

17390

The committee to visit James and Alfred Pellet, on account of a complaint against them, report they acknowledge the complaint just, but express a desire to retain their membership. Upon consideration a decision of this Meeting is deferred for sixth month, next.

Bloomfield Preparative Meeting report no further progress towards raising the money called for by the Yearly held in 1879. They are continued to raise and forward as directed.

As our present Recorder William Garratt through age and infirmity, wishes to be released, John T. Dorland is appointed to that station.

Our esteemed Friend Eliza H. Varney has at this time returned a minute granted her in 4th month 18th, 1878, for religious services in this and adjoining Quarterly Meetings.

This Meeting concludes.

17400

ANTHONY HAIGHT,

Clerk

Minute united.

As the time for which the overseers of the poor was appointed, having expired, this Meeting appoints Samuel C. Saylor, Stephen W. White, Anthony T. Haight, and Cory B. Cronk, to fill that station for the ensuing three years.

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends, held at Wellington, 2nd month, 17th, 1881.

The representatives being called are present.

17410

The representatives appointed to attend the Four Months Meeting report they attended and produced a minute from that meeting directing the subordinate meetings to the observance of extracts of the Yearly Meeting minutes with regard to adopting the New York Yearly Meeting Discipline, and direct the Preparative to the observance of the above minute.

This meeting appoints William Robinson, Samuel C. Saylor, Stephen W. White, Anthony T. Haight, John T. Dorland, Jr., and Cory B. Cronk, who shall labor as directed on page 33 of said discipline, and report annually to this meeting.

This meeting also appoints the following Friends, viz: Joshua B. Dorland, Cory B. Cronk and Anthony T. Haight to unite with a committee of the Four Months Meeting to take into consideration the condition of the meeting and as way opens propose to the Monthly the names of Friends for appointment as Elders to serve for three years, said committee to be appointed annually.

17420

Bloomfield Preparative report the money called for by the Yearly Meeting held in 1879, not all

raised, they are still continued to raise and forward as directed.

Was received at this time a certificate of membership on behalf of Gilbert Jones, from Cold Creek Monthly Meeting of Friends held 12th month, 9th, 1881, which was satisfactory to this meeting, the clerk is directed to hand it to the Recorder and inform Cold Creek Monthly Meeting of its reception by this meeting.

Our esteemed Friend Joseph Blackledge, a Minister, acceptably attended this meeting with a minute of unity from Salem Monthly Meeting of Friends held at Salem, Henry County, Iowa, 5th month, 1st, 1880, and endorsed by Salem Quarterly Meeting of Friends held 5th month, 8th, 1881, and 17430 accompanied by his wife Rhoda A. Blackledge with a minute of approval from the same meetings, whose company has also been satisfactory to the meeting, the clerk is directed to sign the above minutes on behalf of this meeting and forward them as directed by discipline.

We unite with the women in receiving into membership Mary Hubbs and Rebecca Ann Vermilyea.

Samuel C. Saylor is appointed overseer in addition to those formerly appointed for Bloomfield Preparative Meeting.

The business being accomplished this Meeting concludes.

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting held at Bloomfield 3th month, 17th, 1881.

17440

The representatives being called are present.

Bloomfield Preparative Meeting report the money called for by the Yearly Meeting held in 1879 not all raised. They are continued to raise as directed.

We received from the Preparative Meetings nine requests to be jointed in membership with us, signed respectively, Robert G. Hubbs, Amos Garratt, Anthony M. Dorland, Gideon Bowerman, John W. Sargeant, Samuel Smith, Joseph G. Bowerman, Abram B. Saylor and Miles Lucas, which was accepted, and appoints Robert H. Saylor, Cory B. Cronk, Stephen W. White, John T. Dorland, Anthony T. Haight and Joshua B. Dorland to visit them and ascertain their motives where they make profession of Faith in Christ as their Savior, and excepts our views of the gospel, and whether their present conduct manifests the sincerity of their profession and report to next meeting.

17450

Then the meeting concluded.

ANTHONY HAIGHT,

Clerk.

At West Lake Monthly Meeting of Friends held 4th month, 21st, 1881.

The representatives being called are present except one.

Bloomfield Preparative report the money called for by the Yearly Meeting held in 1879, not all raised yet, they are continued to raise and forward as directed.

The committee to visit those that have requested membership with us, report that a portion of them have visited them individually and in each case to good satisfaction and find that they accept by Faith Christ Jesus as their Savior and our views of the gospel and believe their present conduct manifests the sincerity of their profession. After being separately read and considered, we are united in receiving them into membership, viz : Robert G. Hubbs, Amos Garratt, Andrew M. Dorland, Gideon Bowerman, Joshua Sargeant, Samuel Smith, Joseph G. Bowerman, Abram B. Saylor, Miles Lucas, and appoints Alexander Derbyshire, Bennet Bowerman, John T. Dorland and Arnoldi Haight to inform them of the conclusion of this meeting in their case and report to next meeting. 17460

Our esteemed young Friend, Rufus Garratt, expecting to be from home for a short season, and wishing a certificate of membership, this meeting is united in granting him the following :

To Whom it may concern :—

Our esteemed young Friend Rufus Garratt, a member in good unity with us desiring our certificate which we hereby grant, and recommend him to the sympathy of Friends with whom his lot may be cast. 17470

This Meeting unites with the women's in receiving the within requests viz :—Francis J. Streets, Emma Althouse, Alice Althouse, Sarah E. Garratt, Manilla B. Cronk, Cindrilla Saylor, Olen Lucas.

The Committee with regard to the appointment of Elders propose the following names for appointment at this time, viz :—

Lydia Hubbs, Catherine T. Saylor, Mary Jane Bowerman, Mariam W. White, Sarah Ann Derbyshire, Elizabeth Haight, Rachel Cronk, Mary Ann Dorland, Angelene Haight, Charles G. Bowerman, John T. Dorland, Stephen W. White, William Garratt and Anthony Haight.

After reading and considering them separately, were nnited with and appointed to the station of Elders for the term of three years. 17480

Was received from the pastoral committee, requests from the following, viz .—

Hiram McFaul, William Cannon, Elisha Hogedon.

This Meeting appoints Bennett Bowerman, John H. Cronk, Cory B. Cronk, and Anthony Haight a committee to visit them and ascertain whether they accept of Christ as their Saviour and accept of our view of the Gospel, and their conduct manifests the sincerity of their professions, and report to next Meeting.

This meeting concludes.

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends, held at Wellington, 5th Month, 19th, 1881.

17490

The representatives being called are present, except one, and a satisfactory reason assigned for his absence.

The queries have all been read and their answers as forwarded from the Preparative Meetings, a summary of them are in substance as follows.

The advices were also read.

Robert. H. Saylor, John T. Dorland, Anthony T. Haight, Judah B. Hutchinson and Stephen W. White are appointed to attend the Four Months Meeting as our representatives with the business from this and report.

The committee appointed to visit Hiram McFaul, Elisha Hagadore and William Cannon on account of their requesting membership with us, report they have visited them to good satisfaction and find 17500 that in each case that they receive Christ as their Savior, and do accept of our views of the gospel and their daily life manifests the sincerity of their profession. After consideration thereon, we are united in receiving them into membership and appoint Alexander Derbyshire, Abram B. Saylor and Cory B. Cronk to inform them thereof and report.

The Committee to inform Robert G. Hubbs and others of their reception into membership, report the appointment answered.

We unite with the women's in receiving Sarah Alice McFaul, Samantha Magadon and Eliza Miller into membership.

Bloomfield Preparative Meeting report the money called for by the Yearly Meeting held in 1879, not all raised yet. They are continued to raise and forward as directed. 17510

Wellington Preparative Meeting report the money called for by our last Yearly Meeting, report \$27.50 raised and forwarded, \$33 40 being the proportion of that Meeting, and Bloomfield report not all raised, that Meetings proportion being \$39.20. The Preparative Meetings continued to raise and forward as directed.

Bloomfield Preparative Meeting requests to be allowed the privilege of holding their meetings on first days at 10 o'clock instead of 11, as formerly.

We are united in granting the request and the Meetings there will be held accordingly.

This Meeting concludes.

ANTHONY HAIGHT,

Clerk

17520

West Lake Monthly Meeting of Friends, held 6th month, 16th, 1881.

The representatives being called are present except one.

The representatives appointed to attend the Four Months Meeting report they attended, except one.

The case of James and Albert Pellet again claiming the attention of this meeting, after consideration thereon as they manifest no desire to retain their membership by attending our meetings, we are united in disowning them as members, and appoint Cory B. Cronk and Anthony T. Haight to inform them of the above conclusion and report to meeting.

Bloomfield Preparative Meeting report their proportion of the money called for by the Yearly Meetings held in 1879 and 1880, not all raised yet. 17530

Wellington Preparative Meeting report \$28.50 of their proportion raised and forwarded. They are continued to raise and forward as directed.

Alfred Crawford and family having removed to Cold Creek Monthly, request our certificate of membership. John T. Dorland and Amos Garratt are appointed to enquire as to the settlement of their temporal affairs, nothing obstructing draft a certificate in their behalf and produce it to next meeting for approval, said committee to act in conjunction with Womens Meeting of Friends.

We unite with the women in receiving Jamima Hubbs into membership.

As the time for which the overseers were appointed will expire in next month, Arnoldi Haight, Amos Garratt, William Robinson and Robert H. Saylor are appointed to forward to next meeting the names of suitable Friends to serve in that capacity for one year. 17540

The committee appointed to inform Hiram McFaul, Elisha Hagadow, and William Cannon of their reception into membership report the appointment answered.

The business being accomplished this meeting concludes.

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends, held 7th Month, 21th, 1881.

The representatives being called are present except two, and a satisfactory reason assigned for the absence of one.

The committee to inform James and Albert Pellet of their disownment report the appointment answered. 17550

The Committee appointed to enquire into the settlement of the temporal affairs of Alfred Crawford and family report they find nothing to prevent the issuing a certificate on their behalf and presented the following.

TO COLD CREEK MONTHLY MEETING OF FRIENDS :—

DEAR FRIENDS—Alfred Crawford, Sarah his wife and two daughters Annie and Adelia, members of this Meeting ; the necessary care has been

taken with regard to the settlement of their temporal affairs. We therefore recommend to your Christian care and oversight as members of the Society of Friends.

The Clerk is directed to sign the above certificate and forward it to Cold Creek Monthly Meeting.

The Committee appointed to forward to this Meeting the names of suitable Friends to serve as 17560 overseers produced the following, namely :—John T. Dorland, Cory B. Cronk, Samuel C. Saylor, and Stephen W. White, which being separately read and considered were united with and appointed accordingly for one year.

Bloomfield Preparative report their proportion of money called for by the Yearly Meeting in 1879, a balance of \$33.26, and also balance ordered in 1880 of \$23.20 not raised yet. and Wellington Preparative Meeting report a balance \$4.90 yet behind. The Preparative Meetings are continued to raise and forward in 11th month next.

The meeting concluded.

ANTHONY HAIGHT,

Clerk. 17570

West Lake Monthly Meeting of Friends held at Wellington 8th month, 18th, 1881.

The representatives being called are present.

Our esteemed young Friend, John T. Dorland, Jr., having a prospect of going to sojourn for a time in Toronto, and desiring our certificate on his behalf, which this meeting fully unites in granting one, would recommend him to your christian care and sympathy, he being a member in good esteem with us. The clerk is directed to sign the above minute and forward it.

The business being accomplished this meeting concludes.

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held 9th month, 15th, 1881.

17580

The representatives being called are present.

The queries were all read and answers to two of them as forwarded from the Preparative were considered, of which the following is a summary.

The advices were also read.

Anthony T. Haight. Abram B. Saylor, John T. Dorland and Anthony Haight are appointed to attend the ensuing Four Months Meeting as our representatives with the business from this and report.

Was received at this time from the select preparative a proposition to acknowledge John T. Dorland, jr. a member.

After consideration thereon this Meeting unites with it, and appoints Joshua B. Dorland and Charles G. Bowerman to consider any objections that may arise and report to next Meeting.

17590

There being no more business this Meeting concludes.

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held 10th month, 20th, 1881.

The representatives being called are present.

The representatives appointed to attend the Four Months Meeting, report one of them attended and produced a minute from that Meeting directing the Monthly Meetings to raise their respective quotas of three hundred dollars for the use of the Yearly Meeting this year and pay into the hands of the Clerk also the observance of the extracts of the Yearly minutes with regard to the statistics and other matters as directed to subordinate Meetings.

17600

The committee appointed to consider any objection that may arise to acknowledging John T. Dorland Jr. a minister, report they have heard of no objection. After a time of consideration thereon this meeting unites in acknowledging him a minister, and the clerk is directed to inform the Preparative Meeting of Ministers and Elders thereof.

The minutes of advice from the Yearly Meeting was read at this time. We trust to our edification, Stephen White, Rufus Garratt, Cory B. Cronk and Abram B. Saylor to solicit subscriptions in aid to this work of the pastoral committee and pay the same to the Yearly Meeting's Treasurer and report in sixth month next.

By direction of the Yearly, Monthly Meetings are to use their discretion to disconnect from membership any who may evidently desire to separate from us without any further care.

17610

Joshua B. Dorland, Stephen W. White, John T. Dorland and Anthony T. Haight are appointed to propose to the Monthly Meetings the names of those who evidently desire to separate from us.

The business being accomplished the Meeting concludes.

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held at Wellington, 11th Month, 17th, 1881.

The representatives being called are present.

The time for which the Clerks were appointed having expired Robert H. Saylor and Charles G. Bowerman are appointed to forward to next meeting the names of two Friends to serve as Clerk and

Assistant Clerk to serve for one year.

17620

The Committee appointed to forward to Monthly Meetings the names of those who evidently desire to separate from us as a society, submit the following, viz :—

Gilbert Jones, Levi Varney, Levi V. Bowerman, William Valentine, William Branscombe, David Branscomb, Edward Cronk, Amos Bowerman, and Allen M. Dorland.

This Meeting unites in releasing them from membership of the Society of Friends and appoints Charles G. Bowerman and Cory B. Cronk to notify them of the above action of this Meeting.

Come to this Meeting proposals of marriage signed John T. Dorland, jr., and Levena Hubbs.

Cory B. Cronk and Stephen W. White are appointed to enquire into his being clear of other marriage engagements and report to next Meeting.

The business being accomplished this meeting concludes.

17630

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends. held 12th month, 15th, 1881.

The representatives being called are present.

The committee appointed to bring to next meeting the names of Friends to serve as clerks propose the re-appointment of the present clerks, this meeting unites therewith, they are appointed for one year.

The committee appointed to inform Gilbert Jones and others of the action of this meeting in their case report the appointment answered except one instance, they are continued to give the information required and report to next meeting.

17640

The committee appointed to inquire into John T. Dorland being clear of other marriage engagements report they find him clear of like engagements, they having consent of parents and nothing appearing to obstruct their proposals are allowed by the meeting, and a meeting appointed to be held at the house of Margaret Jane Jones on the 29th inst., at 3 of the clock, to consummate their marriage. Charles G. Bowerman and Robert H. Saylor are appointed to attend their marriage, see that it is orderly conducted and forward the marriage certificate to the Recorder and report to next meeting.

The business being accomplished this meeting concludes.

ANTHONY HAIGHT,

Clerk

West Lake Monthly Meeting held at Bloomfield 1st month, 19th, 1882.

17650

The representatives being called are present.

The queries were all read and the following is a summary of the answers to two of them,

The advices were also read.

Joseph G. Bowerman, Rufus Garratt, Stephen W. White and Joshua B. Dorland are appointed to attend the ensuing Four Months Meeting as our representatives with the business from this and report.

The committee appointed to inform Gilbert Jones and others of the action of this meeting in their case report the appointment answered.

The committee appointed to attend the marriage of John T. Dorland, Jr., report they attended the marriage, that it was orderly conducted, the certificate was properly executed and handed to the Recorder.

17660

This meeting appoints Cory B. Cronk as Treasurer of West Lake Monthly Meeting. and also appoints Stephen W. White as Correspondent for this Monthly Meeting, the Clerk is required to give the necessary information to superior meeting.

John T. Dorland, Jr., having removed within the limits of Yonge Street Monthly, and requests our certificate on his behalf, Joshua B. Dorland and Charles G. Bowerman are appointed to enquire into the settlement of temporal affairs and if nothing appearing to prevent, draft a certificate and produce to next meeting for its approval.

This Meeting concludes.

ANTHONY HAIGHT.

Clerk.

17670

We unite with the Women's in dropping from membership the following Friends, viz :—Eliza H. Varney, Jane Cronk, Mary Ann Valentine, Matilda Branscomb, Sarah Leavens, Elizabeth White, Rebecca White and Susan Dorland.

West Lake Monthly Meeting of Friends held at Wellington, 2nd month, 16th, 1882.

The representatives being called are present except one, a reason assigned for his absence.

Our esteemed Friend William Allen, a minister, acceptably attended this Meeting with a minute of unity and concurrence from Masissisa Monthly Meeting of Friends held 7th month, 28th, 1880.

Our esteemed Friend Charles W. Sweet, a Minister, acceptably attended this Meeting with a minute of unity from Milton Monthly Meeting of Friends held 8th month, 17th, 1881.

The Clerk is directed to sign the above minute and forward it to the Meeting granting it.

17680

The representatives appointed to attend the Four Months Meeting report they attended and produced a minute from that Meeting showing that that Meeting had revised the quotas as that West Lake

Monthly Meeting pay 40 per cent on all directed to be raised by that Meeting.

Was received from the pastoral committee, a request for membership signed Marmaduke Hutchison.

John T. Dorland and Anthony Haight are appointed to visit him on account thereof ; see whether he makes profession of faith in Christ as his Saviour and accepts our views of the Gospel and whether his present conduct manifests to the sincerity of his profession, and report to next meeting.

The time for which the Pastoral Committee was appointed expired, this Meeting is united in re-appointing the old Committee with Paul C. Haight's name added in place of John T. Dorland, jr., who 17690 is in Toronto for a time.

The Committee appointed to bring forward names to fill the station of Elders expires this month.

Paul C. Haight and Hiram McFaul, Samuel C. Saylor and Joseph S. Bowerman are appointed to that service for one year.

As John T. Dorland does not wish a removal certificate, this Meeting is united in granting in addition to a minute granted to him in 8 month, 18th, 1881, that since granting said minute he has been acknowledged a minister, and as such we recommend him to your Christian sympathy and remain your Friends.

The Clerk is directed to furnish him with a copy of the above minute.

This Meeting concludes.

17700

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held 3rd month, 16th, 1882.

The representatives being called are present except one.

The committee appointed to visit Marmaduke Hutchison on account of his request for membership, report they have visited him to good satisfaction, they find that he accepts Christ as his Savior, and that his views of the Gospel are in accordance with our views, and that his wife is consistent therewith. After consideration, we are united in receiving him into membership. The women concurring therein and appoint Cory B. Cronk and Paul C. Haight to inform him of his reception, and report to next meeting.

17710

This meeting concludes.

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held at Bloomfield 4th month, 20th, 1882.

The Clerk being absent, Stephen W. White was appointed for the day.

The representatives being called are present.

The committee appointed to inform Marmaduke Hutchison of his reception into membership report the appointment answered.

There being no further business this Meeting concludes.

S. W. WHITE,

1772

Clerk for the day.

West Lake Monthly Meeting of Friends held at Wellington, 5th Month, 18th, 1882.

The representatives being called are present.

The queries were all read and answers to them as forwarded from the Preparative Meeting, the following is a summary of the answers.

The advices were also read.

Charles G. Bowerman, Cory B. Cronk, William Robinson and Joseph Bowerman are appointed to attend the ensuing Four Months Meeting as our Representatives with the business from this and to report.

The Preparative Meeting report the money called for by the Yearly Meeting is all raised.

17730

The statistics of this meeting are as follows :—

Number of families,	-	-	25
“ “ parts of families,	-	-	25
“ “ members,	-	-	29
“ “ births,	-	-	1
“ “ of children of school age	-	-	15
“ “ deaths,	-	-	3
“ “ received by request	-	-	4
“ “ disowned,	-	-	20
“ “ Ministers recorded,	-	-	1
“ “ Preparative Meetings,			2

17740

Our esteemed Friend John T. Dorland, jr., laid before this Meeting a desire to attend the sittings

of New York Yearly (with his wife to accompany him, she also being a Minister in unity) and if way opens for it to appoint some Meetings on the way going and coming.

After consideration thereon we unite in granting said Minute and would recommend them to the sympathy of all concerned in the welfare of the Gospel of Jesus Christ.

The Clerk was directed to furnish him with a copy of the above minute signed by the Clerks of this Meeting.

Came from Wellington Preparative Meeting a request to become a member of Friends, signed Henry Hutchinson. 17750

Paul C. Haight and Anthony are appointed to visit him ; see if he professes faith in Christ as his Saviour and accepts our views of the Gospel, and whether his present conduct manifest the sincerity of his profession and report to next Meeting.

Also from the Pastoral a request to be joined into membership with us, signed Ichabod Bowerman, Charles G. Bowerman, and Cory B. Cronk, are appointed to visit him, make the necessary inquiries as regards his motives, &c., and report to next Meeting.

The subject of appointing a committee in case of births and deaths, Stephen W. White and Anthony T. Haight are appointed to forward all cases of births and deaths to the Recorder for registration and report yearly.

The committee appointed to forward the names of those who evidently are not wishing to retain 17760 their membership with us, forward at this time the following, viz : Henry H Haight, Zachariah Henry Sweetman, Stephen Hubbs, Johnson Brewer, Judah B. Hutchinson and John Garratt. This meeting united in releasing the above from membership. According to minute of the Yearly, regarding the separation,

Anthony Haight, William Robinson and Alexander Derbyshire are appointed to inform them of the above decision and to report to next meeting.

This meeting concludes.

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held 6th month, 15th, 1882.

17770

The representatives being called are present.

The representatives appointed to attend the Four Months Meeting report they attended.

The committee appointed to visit Henry Hutchinson on account of his request, report they have visited him to good satisfaction, believe him sincere in his request, that he accepts our views of the Gospel and that his life appears to be consistent therewith.

After consideration thereon we are united in receiving him into membership with us, and appoint Clark Bowerman and David S. Saylor to inform him thereof and report to next meeting.

The Committee appointed to visit Ichabod Bowerman on account of his request, report they have visited him to good satisfaction ; that he is sincere in request ; that he accepts our views of the Gospel and that his life is consistent therewith.

17780

After consideration thereon we are united to receive him into membership and the above Committee to inform him of his reception also, and report to next meeting.

We having the unity of the Women in both cases.

We also unite with the Women in receiving Phoebe Elizabeth Hutchinson and Ruth Bowerman into membership.

The Committee appointed to inform Henry H. Haight and others of their disownment, report the appointment not fully answered. They are continued to report to next meeting.

Came from the Preparative Meeting of Ministers and Elders a proposition to acknowledge Alexander Derbyshire a Minister in unity with us.

After consideration we accept the proposition and appoint Anthony T. Haight, Cory B. Cronk and Anthony Haight to hear and consider objections if any and report.

17790

Came from the Womens' Meeting a proposition to acknowledge Cathrine J. Saylor a Minister.

We appoint Anthony T. Haight, Cory B. Cronk and Anthony Haight to hear and consider objections if any in conjunction with a Committee of Women Friends and report to next meeting.

The committee in case of bringing forward names of Friends to serve as Elders, submit the following names, Robert H. Saylor, Sarah J. Bowerman, Anthony T. Haight, Paul C. Haight, Cory B. Cronkhite, Lucy Cronkhite, which being separately read and considered in joint session of Men and Women Friends were united with. They are accordingly appointed for the term of three years.

The Clerk is directed to give the necessary information to the Select Preparative.

This Meeting concludes.

17800

ANTHONY HAIGHT.

Clerk.

West Lake Monthly Meeting of Friends, held 7th month, 20th, 1882.

The representatives being called are present.

The Committee appointed to inform Henry Hutchinson and Ichabod Bowerman of their reception into membership, report the appointment answered.

The Committee appointed to inform Henry H. Haight and others of their being released from report the appointment not fully answered.

The Committee appointed to hear and consider objections, if any, to acknowledging Alexander Derbyshire a Minister, report that they have heard of no objections. 17810

After consideration we unite in acknowledging him a Minister, the unity of the women therein, and the Clerk is directed to give the necessary information to the Select Meeting.

The committee appointed in Catharine J. Saylor's case are not ready to report, they are continued to report to next meeting.

Our esteemed Friend, Francis Lupton a Minister, acceptably attended this meeting with a minute from Short Creek Monthly Meeting, held 6th month, 21st, 1882.

Also our esteemed Friend, John Pennington, acceptably attended this meeting at this time. The clerk is directed to send copies of the above minutes to their respective meetings.

Received from Bloomfield Preparative Meeting, a request for membership, signed John H. Kirby, John T. Dorland and Samuel Saylor are appointed to visit him on account thereof, see whether he accepts Christ as his Savior, and accepts our views of the Gospel, and that his life is consistent therewith, and report to next meeting. 17820

J. Philip Bowerman requests our certificate on his behalf to Norwich Monthly Meeting, expressive of his clearness of marriage engagements.

Robert H. Saylor and John T. Dorland are appointed to make necessary enquiries and report to next meeting.

Our esteemed young Friend, John T. Dorland, a Minister, with whom we have unity laid before this meeting, in joint session of Men and Women, a concern to attend North Carolina Yearly Meeting and of appointing Meetings on the way going and returning with this meeting has expressed much unity and sympathy in his concern, and freely liberate him to prosecute it as the Lord may direct. 17830

Our esteemed Friend, Robert H. Saylor, expresses a willingness to accompany John T. Dorland in his proposed visit to North Carolina Yearly Meeting, &c.

This Meeting unites in liberating him for that service, he being an elder in unity with us.

The Clerk is directed to furnish copies of the above minutes signed by the Clerk.

There being no further business this Meeting concludes.

Sg'd

ANTHONY HAIGHT,

Clerk.

West Lake Monthly Meeting of Friends held at Wellington 8th Month, 17th 1882.

The representatives being called are present.

The Committee appointed to inform Henry H. Haight and others of their release from membership 17840 report the appointment not fully answered. They are continued to report next month.

The Committee appointed to hear and consider objections, if any, in Catharine Saylor's case, not ready to make a report. They are continued to report to next Meeting.

The Committee appointed to visit John H. Kirby, on account of his request, report they have visited him to good satisfaction. After consideration therein we are united in receiving him into Membership, and appoint Stephen W. White and Joshua B. Dorland to inform him thereof and report.

The Committee appointed to enquire into J. P. Bowerman's being clear of other like marriage engagements report they find him clear.

The Clerk is directed to furnish him with a minute to Norwich Monthly Meeting, expressive 17850 thereof.

Our esteemed Friend Elwood Scott, a minister from Oak Ridge Monthly Meeting of Friends, Indiana, accordingly attended this Meeting at this time. The Clerk is directed to forward a copy of the above minute to Lewis Hocket, correspondent of the above Meeting.

Our esteemed Friend Alexander Derbyshire, laid before this Meeting in joint session, a prospect of attending Yonge Street Quarterly Meeting, and most or all the Meetings composing it, and of attending to such other duties as he may be called to.

After consideration thereon we are united in liberating him to that service, he being a Minister in unity with us.

The Clerk is directed to furnish him a copy of the above minute.

17860

The business being accomplished this meeting concludes.

Sg'd

ANTHONY HAIGHT,

Clerk

West Lake Monthly Meeting of Friends held 9th month, 21th, 1882.

The representatives being called are present.

Came to this Meeting a request to be joined in membership with us, signed F. Davis.

Robert H. Saylor and Stephen W. White are appointed to confer with him on account thereof, and

and report. After conferring with him, report he accepts our views of the Gospel, and that his daily life is consistent with his Christian profession, and after hearing his verbal profession of faith in Christ as his Saviour as expressed in the fore part of this Meeting, we are fully united in receiving him into membership. The aforementioned Committee is to inform. 17870

The queries and answers to them as forwarded from the Preparative Meeting were all read. Summary of the answers is in substance as follows. The advices were also read.

Cory B. Cronk, Anthony T. Haight, Joseph G. Bowerman, and Joshua B. Dorland are appointed to attend the ensuing Four Months Meeting, as our representatives, with the business from this and report.

We unite with the women in receiving the requests for membership, viz :— Adelia Davis, Anna Haight Haight, Anna E. Dorland and Bessie Dorland.

The Committee appointed to inform Henry H. Haight and others of their release from membership report the appointment answered. 17880

The Committee appointed to inform John H. Kirby of his reception into membership report the appointment answered.

Joshua B. Dorland and John T. Dorland are appointed to forward to next Meeting the names of suitable Friends to serve as overseers.

Our esteemed Friend, John T. Dorland, jr., has at this time returned a minute, him and his wife in fifth month of attending New York Yearly and has produced minutes from that Meeting of their satisfactory attendance of that Meeting.

Also returned a minute granted him in 7th month last to attend North Carolina Yearly Meeting and of other service going and coming, and produced minutes in return of satisfactory attendance of North Carolina Yearly Meeting, Springfield Monthly Meeting Western Quarterly, respectively, which 17890 was satisfactory to this Meeting.

Also our esteemed Friend, Robert H. Saylor, returned a minute granted him to accompany John T. Dorland, and produced minutes of his acceptable attendance of the forementioned Meetings, which was satisfactory to the Meeting.

The Committee appointed to hear objections if any, to acknowledging Catharine J. Saylor a minister, report that they have not heard of any valid objections. After a time of consideration in joint session the Meeting is united in acknowledging her as a minister. The Clerk is directed to give the necessary information to the Select Meeting.

This Meeting concludee.

ANTHONY HAIGHT,

Clerk. 17900

West Lake Monthly Meeting of Friends, held at Bloomfield, 10th month, 19th, 1882.

The representatives being called are present.

The representatives appointed to attend the Four Months Meeting report two of them attended.

It being proposed and united, fully united with that we should hold a Monthly Meeting in joint session for the future, this Meeting is to adjourn accordingly. The Women uniting therein with the Men.

The committee to notify Frank Davis of his reception into membership, report the appointment answered.

The committee with regard to overseers, not ready to report, they are continued to report to next meeting

17910

As the time for which the Clerks were appointed will expire in next month, Cory B. Cronk and Charles G. Bowerman are appointed to forward the names of two suitable Friends to serve in that capacity.

This Meeting concludes.

Sgd.

ANTHONY HAIGHT.

Clerk.

West Lake Monthly Meeting of Friends held in joint session at Wellington, 11th Month, 16th, 1882.

The representatives being called are present.

The committee appointed to bring forward names for clerks propose Dydia S. Hubbs for Clerk, and Stephen W. White for Assistant, which being separately considered are united with. They are accordingly appointed to that service for one year.

17920

The committee to bring forward names of men Friends to serve as overseers, propose the following: Cory Cronk and Amos Garratt for Wellington, C. G. Bowerman and Joseph Bowerman for Bloomfield, which being separately considered and united with. are appointed for one year.

The committee to bring forward names of women Friends to serve as overseers of the poor, propose Mary J. Bowerman and Maruim White for Bloomfield, Mary Ann Dorland and Sarah E. Garratt for Wellington, which being united with are appointed for one year.

Bloomfield Preparative requests this meeting to consider the propriety of allowing the Subordinate to hold meetings in our Meeting House at Bloomfield, for the future, and after a deliberate discussion, we unite in appointing Abram A. Saylor, John B. Cronk, John T. Dorland, jr., Anthony T. Haight and Joshua B. Dorland to take this subject into consideration and report next month their judgment in the case.

17930

The Committee on births and deaths report they have attended to their appointment, and the time having expired for which they were appointed we appoint Stephen W. White, Anthony T. Haight, and Sarah Ann Derbyshire to serve for one year.

Our dear brother John T. Dorland, jr., a minister with whom we have good unity, laid before this Meeting held in joint session, a prospect which had rested with him for some time of visiting in the love of the Gospel, Brooklyn Meeting and of attending some other service in Westburg Quarterly with which much unity and sympathy have been expressed and he is left at liberty to perform such service 17940 as the Lord may direct. We commend him to your Christian love and care.

The Clerk is directed to furnish him with a copy of this minute and report on behalf of this Meeting.

This Meeting concludes to meet next month at Bloomfield.

Sg'd

L. S. HUBBS,

Clerk.

West Lake Monthly Meeting of Friends, held at Bloomfield, 12th month, 21st 1882.

The representatives being callad are present.

Bloomfield Prepaative forwarded to this Meeting a request to be joined in membership, signed Anna Kingston. This Meeting appoints Lydia S. Hubbs and Catharine Saylor to visit her and report 17950 to next Meeting.

The Committee appointed last month to consider the propriety of allowing the separatists to hold meetings in our Meeting House, now report it their judgment that the house should be closed against them. The majority of this Meeting agree with their report; also agree that it should be closed immediately, and appoint Robert H. Saylor, Abram B Saylor, and John H. Cronk to take possession of the keys, and have full charge and control of the house and property connected with it, and take such steps as may be necessary to protect the same on behalf of the Monthly Meeting, and report monthly.

NOTICE.

A special meeting is called by this Monhly Meeting to meet in 1st month, 18th, at 10 o'clock at 17960 the Bloomfield Meeting House, to consider the advisability of selling a portion of the meeting property.

This meeting concludes to meet next Monthly at Bloomfield.

Sg'd

LYDIA S. HUBBS,

Clerk

1st. Month, 1883 :

This meeting met according so notice but no action taken.

Sg'd.

L. S. HUBBS,

Clerk.

West Lake Monthly Meeting of Friends held 1st month, 18th, 1883, at Bloomfield.

17970

The representatives being called are present except one, a suitable reason given for her absence.

The committee appointed to visit Anna Kingston on account of her request, report attention thereto, and it was taken judgment. She should be received believing her to be one with us, with which this meeting fully unites.

We appoint Ruthie Derbyshire and Adelia Davis to inform her of her right of membership and report to our next meeting.

The committee appointed last month to have charge of the Meeting House and property and protect the same, have forwarded their report, which this accepts and is as follows, and in consideration of the same this Meeting authorizes the Trustees to raise what funds are necessary to carry in to a successful issue.

17980

COPY OF REPCRT.

We, your committee appointed last Monthly Meeting, to have charge of the house and property at Bloomfield, entered upon the duties accordingly, and during this time and when we were in possession and in the house there were a considerable of a company came, not in membership with us, who did break and enter the premises and house with violence and destroyed portions of the house, and fastenings repeatedly. In consequence of this distruction of property the Trustees were informed and a meeting of the said Trustees was held.

The Trustees with the information from this your committee did take legal advice for the protection of the Monthly Meeting property, asking the highest authority of our land to protect the same. And an injunction was granted by the Superior Court, which freed us from further disturbance for the present.

Signed

{ ROBERT H. SAYLOR.
J. K. CRONK.
A. B. SAYLOR.

This Meeting forwards information to the Four Months' Meeting that we are engaged in legal proceedings to protect our property and ask your prayers and counsel.

The business of this Meeting being accomplished, we adjourn.

Sg'd

LYDIA S. HUBBS,

Clerk.

West Lake Monthly Meeting of Friends, held at Wellington, 2nd Month, 15th, 1883.

18000

The Clerk being absent, S. W. White was appointed for the day.

The representatives being called were present except two, and a reasonable excuse given for them.

The Committee to inform Anna Kingston of her reception into membership with us, report their appointment answered.

The Committee having charge of the Meeting property at Bloomfield report attention thereto, and it being necessary for funds to be raised to carry on the litigation, the Trustees have raised the sum of two hundred and twenty-five dollars (\$225) for that purpose, and placed it in the hands of A. B. Saylor, Chairman of Committee.

We received at this time direction from the Quarterly Meeting to raise our proportion of \$300 for 18010 the Yearly Meetings use, also to the observance of minutes regarding statistics, which is directed to the Preparative Meetings.

Received at this time from Baltimore Monthly Meeting, a certificate informing us of the very acceptable company and Gospel service of John T. Dorland in that Meeting.

Our dear Brother John T. Dorland, jr., laid before this Meeting, a concern for extended labor in Brooklyn, and asking for a sojourning minute for New York Monthly Meeting for himself and wife, Lavina Dorland, and for liberty to attend Baltimore Yearly Meeting, and appointing Meetings going and returning as the Lord may open the way.

After a time of deliberation thereon this meeting unites with much sympathy in his concern, and commends them to the Christian care of those among whom they may comē, he being a Minister in 18020 good esteem among us, and she a member beloved

The business being accomplished the meeting concludes.

Sgd.

S. W. WHITE,

Clerk for the day.

West Lake Monthly Meeting of Friends held at Bloomfield 3rd month 15th, 1883.

Representatives being called are present except one and a reasonable excuse given for his absence.

The Committee appointed to have charge of the Meeting House and property report attention hereto. They are continued.

Bloomfield Preparative forwarded to this a request to join us in membership¹ signed Robert Scott, which this Meeting notices, and appoints C. G. Bowerman and Bennet Bowerman to visit him on 18030 account thereof and report.

The business of this meeting being accomplished, we conclude, to meet at Bloomfield next month.

Sg'd. LYDIA S. HUBBS,

Clerk.

West Lake Monthly Meeting of Friends, held at Bloomfield, 4th month, 19th, 1883.

The representatives being called are present.

The committee in charge of Meeting House and Grounds, being called, report attention. They are continued.

The request of Robert Scott claiming the attention of this meeting, the committee report they have visited him to good satisfaction, and it is their judgment he should be received, with which this meeting 18040 has fully united and appoint Bennett Bowerman and Alexander Derbyshire to inform him of the judgment of the meeting and report to our next meeting.

Our esteemed Friend, Luke Woodward, a Minister in good standing, is acceptably with us at this time.

Our dear Friend, Bennett Bowerman, laid before this meeting a concern, he felt to accompany Alexander Derbyshire in his religious engagements, with which this meeting unites, in much sympathy.

We commend him to the christian care of those, to whom he may come.

The business of this meeting being accomplished, we conclude to next month at Wellington, if permitted.

Taken from the minutes

18050

by LYDIA S. HUBBS,

Clerk.

Notice is hereby given that, whereas by deed, dated the 14th day of May 1821, and made between Jonathan Bowerman and John Bull of the one part, and Jonathan Clark, Daniel Haight, and Gilbert Dorland, Trustees of West Lake Monthly Meeting of Friends, appointed by said Monthly Meeting to secure the titles of Meeting house, lots, and burying grounds of the other part. The said Jonathan Bowerman and John Bull for the consideration therein mentioned, did grant, bargain, and sell to said Jonathan Clark, Daniel Haight and Gilbert Dorland, and to their successors in trust, for said Monthly Meeting, all that certain parcel or tract of land, situate, lying and being in the Township of Hallowell, in the County of Prince Edward, and being a part of lots Nos. 9 & 10 in the second concession, described 18060 as follows :—Commencing at a post marked "A," north of the Meeting House and on the line between

the aforesaid lots Nos. nine and ten, then running north, seventy degrees west, eight rods then south, twenty degrees west, sixty rods more or less, to the waters edge of a creek, south of the aforesaid Meeting house, then an easterly course along the creek, sixteen rods, then north, twenty degrees east, sixty rods more or less, then north seventy degrees west, eighty rods, to the place of beginning and being the Meeting House and burying grounds at Bloomfield, as used and enjoyed by said Society, to have and to hold said lands unto the aforesaid Trustees, and to their successors in trust, as said Meeting should from time to time see cause to appoint for the only use and benefit of said Meeting, and, whereas the said Jonathan Clark, Daniel Haight and Gilbert Dorland have since died, and whereas by deed, dated the seventeenth day of June, 1825, and made between Robert McCartney of the one part and Cornelius 18070 White, Samuel Baker, Gilbert Dorland, and Stephen Niles, trustees for the Society of Friends, of the Monthly Meeting of West Lake, to secure the title of Meeting house, lots and burying grounds, in the Township of Hillier, in the County of Prince Edward.

The said Robert McCartney for the consideration therein mentioned did grant, bargain and sell to the said Cornelius White, Samuel Baker, Gilbert Dorland and Stephen Niles and their heirs and successors in trust for said Monthly Meeting, all that certain parcel or tract of land situate, lying and being in the Township of Hillier, in the County of Prince Edward, and being a part of Lot No. three, first concession, Lake side, in the Township of Hillier, described as follows. Commencing at a stake or post marked "A B" at the road's edge, at the West side of said lot thirty seven chains from the water's edge thence North seventy degrees East five chains, thence North twenty degrees West three chains, 18080 thence South, seventy degrees West to the road's edge five chains, thence South twenty degrees East three chains to the place of beginning, and being the Meeting House and Burying Ground at Wellington used and enjoyed by the said society to have and to hold said lands unto the aforesaid trustees, and their heirs and successors in trust, for the benefit of said society and meeting, and whereas the said Cornelius White, Samuel Baker, Gilbert Dorland and Stephen Niles have since died, a meeting of members of West Lake Monthly Meeting of Friends, will be held at said Meeting House in the Village of Bloomfield, on the twenty-first day of April, 1883, at eleven o'clock in the forenoon, pursuant to the revised Statutes of Ontario, Chap. 216, to determine in what manner the successors to said trustees shall be appointed.

Dated the 10th day of April, 1883.

18090

J. H. Cronk, Bennet Bowerman, Robert H. Saylor, Samuel C. Saylor, A. A. Bowerman, J. B. Dorland, members of said West Lake Monthly Meeting of Friends.

Copied by LYDIA S. HUBBS,

Clerk of the Monthly Meeting.

NOTICE.

Manner of appointing Trustees.

Moved by John T. Dorland, seconded by John H. Cronk, that Robert H. Saylor, be chairman of this Meeting.

Moved by John H. Cronk, seconded by S. W. White, that Samuel Saylor be Secretary of this Meeting.

18100

Moved by C. G. Bowerman, seconded by John H. Cronk, that, pursuant to revised statutes of Ontario, chapter 216, a notice in the word and figures following, that is to say :—

Notice is hereby given that, whereas by deed dated the 14th day of May, 1821, and made between Jonathan Bowerman and John Bull of the one part, and Jonathan Clark, Daniel Haight, and Gilbert Dorland, Trustees of West Lake Monthly Meeting of Friends, appointed by said Monthly Meeting to secure the titles of Meeting house, lots, and burying grounds, of the other part. The said Jonathan Bowerman, and John Bull for the consideration therein mentioned, did grant, bargain, and sell to said Jonathan Clark, Daniel Haight and Gilbert Dorland, and to their successors in trust, for said Monthly Meeting, all that certain parcel or tract of land, situate, lying and being in the Township of Hallowell, in the County of Prince Edward, and being a part of lots Nos, 9 & 10 in the second concession, described 18010 as follows :—Commencing at a post marked "A," north of the Meeting House and on the line between the aforesaid lots Nos. nine and ten, then running north, seventy degrees west, eight rods, then south, twenty degrees west sixty rods more or less, to the waters edge of a creek, south of the aforesaid Meeting house, then an easterly course along the creek, sixteen rods, then north, twenty degrees east, sixty rods more or less, then north seventy degrees west, eighty rods, to the place of beginning and being the Meeting House and burying grounds at Bloomfield, as used and enjoyed by said Society, to have and to hold said lands unto the aforesaid Trustees, and to their successors in trust, as said Meeting should from time to time see cause to appoint for the only use and benefit of said Meeting, and, whereas the said Jonathan Clark, Daniel Haight and Gilbert Dorland have since died, and whereas by deed, dated the seventeenth day of June, 1825, and made between Robert McCartney of the one part and Cornelius 18020 White, Samuel Baker, Gilbert Dorland, and Stephen Niles, trustees for the Society of Friends, of the Monthly Meeting of West Lake, to secure the title of Meeting house, lots and burying grounds, in the Township of Hillier, in the County of Prince Edward.

The said Robert McCartney for the consideration therein mentioned did grant, bargain and sell to the said Cornelius White, Samuel Baker, Gilbert Dorland and Stephen Niles and their heirs and successors in trust for said Monthly Meeting, all that certain parcel or tract of land, situate, lying and being in the Township of Hillier, in the County of Prince Edward, and being a part of Lot No. three, first concession, Lake side, in the Township of Hillier, described as follows. Commencing at a stake or post marked "A. B" at the road's edge, at the West side of said lot thirty seven chains from the water's edge thence North seventy degrees East five chains, thence North twenty degrees West three chains, 18030 thence South, seventy degrees West to the road's edge five chains, thence South twenty degrees East three chains to the place of beginning, and being the Meeting House and Burying Ground at Wellington used and enjoyed by the said society to have and to hold said lands unto the aforesaid trustees, and their heirs and successors in trust, for the benefit of said Society and Meeting, and whereas the said Cornelius White, Samuel Baker, Gilbert Dorland and Stephen Niles have since died, a meeting of members of West Lake Monthly Meeting of Friends will be held at said Meeting House in the Village

1881
The following is a list of the
to the list of their names
not eight days

to be
all of the
the list of their names
not eight days

signing

the Township
S. 10
S. 11
S. 12

of Bloomfield, on the twenty-first day of April, 1883, at eleven o'clock in the forenoon, pursuant to the revised Statutes of Ontario, Chap. 216, to determine in what manner the successors to said trustees shall be appointed.

Dated the 10th day of April, 1883.

18040

Signed

J. H. CRONK,
BENNET BOWERMAN,
ROBERT H. SAYLOR,
SAMUEL C. SAYLOR,
A. A. BOWERMAN,
J. B. DORLAND, members of said West
Lake Monthly Meeting of Friends.

"Notice is hereby given," and ending "Members of said West Lake Monthly Meeting of Friends." was affixed to the door of the said Meeting house, at the Village of Bloomfield, and also to the door of the said Meeting house at the Village of Wellington, being the places of worship of said West Lake Monthly Meeting of Friends, at least eight days previous to the day appointed for holding such Meeting, and at such Meeting, now duly held pursuant to said notice, it is hereby determined by the votes of a majority of the members of said West Lake Monthly Meeting of Friends, present at such Meeting, that the successors to said Trustees of said lands, shall be appointed out of the members of said West Lake Monthly Meeting of Friends, at a public meeting duly convened by notice in writing, signed by at least five Members of said Society and affixed to the door of their places of worship, viz: Their Meeting houses at Bloomfield and Wellington, at least eight days previous to the day appointed for holding such meetings. Carried.

Bloomfield (April) 4th month, twenty-first, 1883.

Sg'd

ROBERT SAYLOR, Chairman.

18060

Sg'd

SAMUEL C. SAYLOR, Secretary.

Notice is hereby given that a meeting of the members of West Lake Monthly Meeting of Friends, will be held at their Meeting House in the Village of Bloomfield, on (second day) the thirtieth day of fourth month, 1883, at three o'clock in the afternoon, to appoint trustees of the lands to which said West Lake Monthly Meeting is entitled, and which are described as follows.

Parcel No. 1. All that certain parcel or tract of land situate, lying and being in the Township of Hallowell, in the County of Prince Edward, containing by admeasurement six acres, be the same more or less, composed of part of lots Nos. 9 and 10 in the second concession military tract, which said land is butted and bounded or be otherwise known, that is to say, commencing at a post marked "A" North of the Meeting House and on the line between the aforesaid lots 9 and 10, then running North seventy degrees West eight rods, then South twenty degrees West sixty rods, more or less, to the waters edge of a creek South of the aforesaid Meeting House, then an Easterly course along the creek sixteen rods, then North twenty degrees East sixty rods, more or less, then North seventy degrees West eight rods to the place of beginning.

Parcel No. 2. All that certain tract or parcel of land and premises, situate and lying and being in the Township of Ameliasburg, now Hillier, County of Prince Edward, and Province aforesaid, being part

of lot No. 3, first concession lake side in the said Township of Hillier, containing by admeasurement one acre and a half which said acre and a half is butted and bounded or may be otherwise known as follows, that is to say, at a stake or post marked "A B," at the roads edge, at the west side of said lot thirty-seven chains, from the waters edge, thence north, seventy degrees east five chains, thence north, 18170 twenty degrees west, three chains, thence south, seventy degrees west to the roads edge, five chains, thence south, twenty degrees east, three chains to the place of beginning.

Bloomfield, 4th month, 21, 1883.

Members of the West Lake Monthly Meeting of Friends :— R. H. Saylor, A. T. Haight, A. A. Bowerman, J. S. Morden, J. B. Dorland, and Bennett Bowerman.

NOTICE OF TRUSTEE MEETING.

Moved by C. G. Bowerman, seconded by John H. Cronk, that Robert H. Saylor, be Chairman of this Meeting.

Moved by Joshua B. Dorland, seconded by David Saylor, that Charles G. Bowerman be Secretary of this meeting.

18190

Moved by David Saylor, seconded by Alexander Derbyshire that Cory B. Cronk, Bennet Bowerman, John, T. Dorland, S. W. White, Anthony Haight and Anthony T. Haight be, and they are hereby appointed Trustees for the West Lake Monthly Meeting of Friends, of the following lands and premises that is to say.

Parcel No 1. All that certain parcel or tract of land, situate, lying and being in the Township of Hallowell, Midland District, Province of Upper Canada, containing by admeasurementsix acres, be the same more or less, composed of part of lots Nos. 9 and 10 in thesecond concession military tract, which said land is butted and bounded or be otherwise known, that is to say, commencing at a post marked "A" North of the Meeting House and on the line between the aforesaid lots 9 and 10, then running North seventy degrees West eight rods, then South twenty degrees West sixty rods, more or less, to the waters 18200 edge of a creek South of the aforesaid Meeting House, then an Easterly course along the creek sixteen rods, then North twenty degrees East sixty rods, more or less, then North seventy degrees West eight rods to the place of beginning.

Parcel No. 2. All that certain parcel or tract of land and premises, situate and lying and being in the Township of Ameliasburg, now Hillier, County of Prince Edward, and Province aforesaid, being part

of lot No. 3, first concession lake side in the said Township of Hillier, containing by admeasurement one acre and a half which said acre and a half is butted and bounded or may be otherwise known as follows, that is to say, at a stake or post marked "A B," at the roads edge, at the west side of said lot thirty-seven chains, from the waters edge, thence north, seventy degrees east five chains, thence north, twenty degrees west, three chains, thence south, seventy degrees west to the roads edge, five chains, 18210 thence south, twenty degrees east, three chains to the place of beginning.

Carried unanimously.

Bloomfield (April) 4th month, 30th 1883.

Sg'd C. G. BOWERM,

Secretary

Sg'd ROBERT H. SAYLOR,

Chairman.

West Lake Monthly Meeting of Friends held at Wellington 5th month, 17th, 1883.

18220

The Clerk being absent S. W. White was appointed for the day, and Catharine Saylor, Assistant.

The representatives being called were present, except two, and a reasonable excuse offered for their absence.

The com. having charge of the Meeting House report attention, they are continued.

The committee to inform Robert Scott of his acceptance into membership not being ready to report are continued.

Our beloved Friend Rufus P. King, a Minister of the Gospel from North Carolina acceptably attended this meeting with a minute of unity from Springfield Monthly Meeting dated 12th month, 6th, 1882, and endorsed by Deepriver Quarterly Meeting held 1st month, 20th, 1883, whose company and Gospel Services were very encouraging and strengthening to us. The clerk is directed to furnish him 18230 with a copy thereof.

Our beloved Friend, John T. Dorland, jr., a Minister of the Gospel now residing in Brooklyn, asked by letter a minute liberating him to attend New England Yearly Meeting, with which this meeting cordially unites.

Wellington Preparative Meeting forwards to this a request to join us in membership, signed Seaborn D. Cronk, which this Meeting notices by appointing Paul Haight and Bessie Dorland to visit him on account thereof and report.

Also from the same meeting a request signed Daniel Hutchinson ; Cory B. Cronk, Lucy Cronk and Rufus Garratt are appointed to visit him on account thereof and report.

Also from the same meeting complaints against William Garratt, Sarah Garratt, Mirtche Haight, 18240 Priscilla Garratt, and Betsy Hutchinson for want of unity with Friends and with our Meeting of business and for uniting with the Separalists. Lucy Cronk, Angelina Haight, John Cronk, Paul Haight and C. G. Bowerman are appointed to visit him on account thereof and report to next meeting.

From Bloomfield, complaints against Margaret Jane Jones and Mary Bowerman for the above causes and to be visited by the same committee on the account thereof.

The queries have all been read in this meeting with answers to seven of them as follows, the unanswered queries have also been read, and the advices.

This meeting fully unites with the names of the newly appointed Trustees on the 30th of 4th month, 1883, and the manner of appointing them as found in page 116 to 118.

Frank Davis, Rachael Saylor, Mary J. Bowerman, A. T. Haight and Hannah Dorland are ap- 18250 pointed as our representatives to attend the Quarterly Meeting with the business from this and report.

Then adjourned.

Sgd.

S. W. WHITE,

Clerk for the day.

West Lake Monthly Meeting of Friends held at Bloomfield 6th Month, 21st, 1883.

The representatives being called are present except one.

The committee having charge of the Meeting House Property &c., have produced a copy of the minute of Judgment from the Judge of Court of Chancery, which was read, they are still continued in in their appointment.

Our dear Friend, John T. Dorland, jr., has returned the minute granted him in last month to attend 18260 New England and New York Yearly Meetings, acknowledging his acceptable attendance and his remarks concerning his services and that of others in that Yearly Meeting has been truly cheering to us, and assures us that God is still mindful of his people

Our dear Friend. Isaac Sharp, a Minister of the Gospel of Christ is acceptably with us at this time with a minute of unity and concurrence from the Monthly Meeting of Friends, held at Wellington,

England, 12th of 4th month, 1877, endorsed by Durham Quarterly Meeting held at Darlington, 19th of 4th month, 1877, also one from London Yearly Meeting of Ministry and Oversight held at London by adjournment 21st and 22nd of 5th month, and 1st of 6th month, 1877, whose gospel messages of love to us have been very comforting and edifying and our hearts are filled with gratitude and praise to God, for his kind remembrance of us in sending his servant among us in the love of our dear Redeemer. 18270

The clerk is directed to furnish him with a copy of this minute and sign it on behalf of the meeting.

The committee appointed to inform Robert Scott of his right to membership, not being present, Stephen W. White is appointed as an addition to that committee to report next month.

One of the committee appointed to visit Seaborn Cronk on account of his request report they have visited him to good satisfaction, this meeting fully unites with them in receiving him and appoints Rufus Garratt to inform him thereof and report to our next meeting.

The committee appointed to visit Daniel Hutchinson on account of his request, report they have made him a very satisfactory visit and it was their judgment he should be received, with which we fully unite and appoint Cory Cronk to inform him of his right to membership and report next month. 18280

The committee appointed to visit William Garratt, Sarah Garratt, Mintche Haight, Priscilla Garratt Betsy Hutchinson, Margaret J. Jones and Mary M. Bowerman on account of the complaint against them report they have attended to their appointment, and don't find them in a state of mind to remain with us, this meeting unites with the committee in believing it best to disown them, and appoint Robert H. Saylor and Charles G. Bowerman to prepare testifications against them and produce it to our next meeting.

The Representatives appointed to attend the Four Months Meeting, report they all attended.

The committee to collect the money ordered by the Yearly Meeting for its use, report all collected.

Adjourned to meet next month at Bloomfield. If permitted.

Sg'd. LYDIA S. HUBBS,

18290

Clerk.

West Lake Monthly Meeting of Friends held at Bloomfield 7th month, 19th, 1883.

The representatives being called are present, except one.

Our beloved Friend, Alfred Wright, a Minister of the Gospel from England, in course of his religious visit in Canada, acceptably attended this meeting with minutes of unity and concurrence from Brighouse Monthly Meeting held at Bradford, Yorkshire, England, 11th of 4th month, and Yorkshire Quarterly Meeting held at Leeds 5th of 4th month, also from London Yearly Meeting on Ministry and

Oversight, held by adjournments on the 21st and 22nd of 5th month and 1st of 6th month, 1883, whose company is very precious to us, and his Gospel message has been heart searching instructive and edifying.

18300

Our earnest prayer is that God may bless it to every soul,

His companion William K. Baker is also acceptably with us, with minutes of unity from Spicewood Monthly Meeting held at Spicewood, Hamilton County Ind., 7th of 6 month, 1883, whose Gospel service has been comforting and his previous labors of love amongst us, have been blessed of the Lord, which is cause of thankfulness. This meeting desires the clerk to give these Friends a copy of these minutes and sign them on behalf of the meeting.

The Friends appointed to inform Robert Scott of his right of membership, report the appointment answered.

The Friends appointed to inform Seaborn Cronk and Daniel Hutchinson of their right of membership, report they have done so.

18310

The committee appointed last month to prepare testifications against Wm. Garratt and others, who have been labored with, have produced a copy, further action is deferred till next month.

Our dear Friend Alexander Derbyshire, returned to-day the minute granted him in 8th month, 1882, testifying that the Lord had proved to be to him strength in weakness, and a present help in time of need and enabled him to return to his home in peace.

Bessie Dorland, Rufus Garratt, Eliza Brewer, Angelina Haight, Frank Davis, Bennet Bowerman, Paul Haight and Joseph Bowerman are appointed as our pastoral committee for one year, and report in 6th month.

Under a sense of Lord's goodness, we conclude to meet next month at Wellington.

Sg'd

LYDIA S. HUBBS,

18320

Clerk.

West Lake Monthly Meeting of Friends, held at Wellington 8th month, 16th, 1883.

The representatives being called report present except one, who is not in.

The testifications of disownment produced last month against William Garratt, Sarah Garratt, Mintche Haight, Rebecca Garratt, Betsey Hutchinson, Margaret J. Jones and Mary M. Bowerman being again brought before the meeting for consideration, after a time of deliberation, it is the judgment of the meeting that Lucy Cronk, Cory Cronk and Lydia S. Hubbs be appointed as a committee to inform them of their disownment and report next month,

Our dear Friends, Alfred Wright and Wm. K. Baker, are again acceptably with us, to our comfort and enjoyment,

18330

The London general epistle has been received and distributed.

Our dear Friend Alexander Derbyshire, a minister in unity with us, laid before this meeting a concern he had of visiting in the love of the Gospel, Leeds Monthly Meeting and some of the remote families belonging to it, some of the meetings belonging to the Scipio Quarter, and if way opened for it, that Quarterly Meeting and attend to such other service, as he may feel required of him.

This meeting after a time of deliberation unites in liberating him to the service, recommending him to the Christian care of those to whom he may come. The Clerk is desired to give him a copy of said minute and sign it on behalf of the meeting.

This meeting concludes.

Sg'd

L. S. HUBBS,

18340

Clerk.

West Lake Monthly Meeting of Friends held in joint session at Wellington 9th month, 20th, 1883.

The representatives being called are present, except two, a reasonable excuse given for one.

The Assistant Clerk being absent, Robert H. Saylor is appointed for the day.

The Committee appointed to inform William Garratt, Sarah Garrett, Mintche Haight, Priscilla Garratt, Betsey Hutchinson, Margaret J. Jones, Rhoda Garratt and Mary M. Bowerman of their disownment report their appointment answered.

The two queries, usually answered at this time, were read, and their answers considered, a summary of which is as follows: the unanswered queries and advices were also read.

We appoint Cory Cronk, Catharine Saylor, Sarah Ann Derbyshire, Mary Ann Dorland, Amos Garratt, Sarah E. Garratt, Joseph Kingston and Frank Davis to attend the ensuing Quarterly Meeting with business from this and report. 18350

Bessie Dorland, wishing to attend the Baltimore Yearly Meeting, asks for a minute of membership, with which this Meeting expresses full unity, and desires the Clerk to grant her one on behalf of the Meeting.

The Committee appointed to have charge of the meeting house and property not being ready to make a full report are continued.

The Yearly Meeting Minutes have been received and are ready for distribution.

The business of this meeting being accomplished we conclude to meet next month at Bloomfield, if permitted. 18360

Sg'd

LYDIA S. HUBBS,

Clerk.

THE PLAINTIFFS EXHIBIT "Z."

Bloomfield Preparative Meeting of Friends held 9th month, 12th, 1878.

The representatives was called but not present they were continued to report next month.

The queries was read and answers to 6 of them.

The advices was also read.

No account from the committee to collect the money for the Yearly Meetings use. They are continued. The committee report having had charge of collecting the money for taking care of the Meeting House and grounds. There is \$7.17 yet to be collected to meet the demands, they are continued to 18370 report next meeting.

Came to this meeting by way of the Overseer's, information that David S. Saylor had married a person not in membership with us, which was directed to the Monthly Meeting.

Joshua B. Dorland and William Banskomb are appointed our representatives to attend the Monthly Meeting with the minutes from this and report.

Sg'd. ROBERT H. SAYLOR,

Clerk.

Bloomfield Preparative Meeting of Friends held 10th month, 10th 1878.

The representatives being called were not present. They are continued to report next meeting.

The representatives appointed in the 8th month report at this time.

18380

The Committee to collect the money for the Yearly for 1877 were not present. They are continued.

The Committee to collect the money for the Preparative meeting use, taking care of meeting house, build fire sweep, report attention. They are continued. Came to this meeting by way of the overseers a complaint against William Valentine for so far deviating from the good order of our Society as to arrest a Friend travelling in the ministry amongst us. also being accessory to closing the meeting house against a Friend. for circulating for signature among friends a document, the purport of which is a contradiction to a decision of the Monthly Meeting concerning a minute granted to Mary Ann Valentine; and also for defaming a Friend's character (A.D. and S. W. White, overseers.)

Stephen W. White is appointed to make such repairs on the meeting house as he finds is necessary and present the bill to the next Preparative Meeting for payment.

18390

Stephen W. White and Bennett Bowerman are appointed the representatives for 10th meeting with the minutes from this and report. The business being accomplished this meeting concludes.

Sgd. ROBERT H. SAYLOR,

Clerk of P. M.

Bloomfield Preparative Meeting of Friends held 11th month, 14th, 1878.

The representatives being called were present and produced the amount ordered to be raised for the Yearly Meeting's use it being our proportion of \$550.00. The Committee to collect the money for the Yearly Meeting's use for 1877 report the money raised and forwarded.

The Committee to collect the money for taking care of the house and for 1877 report attention, They are continued. Balance being \$3.07.

18400

The Committee on repairs produced his bills: 3 lights glass, 36c.; 1 lb of putty, 4c.; $\frac{1}{2}$ gallon coal oil, 12c.; total, 52c: paid in at once by a few who were present. The appointment was answered. Alexander Derbyshire and Charles G. Bowerman are appointed to collect in proportion of \$550.00 and report in 5th Monthly Meeting, also to collect the balance ordered for the school and pay the moneys to the treasurer of the Monthly Meeting.

Stephen W. White and Bennet Bowerman are appointed to attend the Monthly Meeting with the minutes from this and report.

Then concluded.

Sg'd R. H. SAYLOR,

Clerk. 18410

Bloomfield Preparative Meeting of Friends held 12th month, 12th, 1878.

One of the Friends report one of them attended the Monthly Meeting.

The committee to collect the money for the Preparative Meetings use, report there is \$3.07 uncollected. The committee is released and the money is added to the present account of the present expenses of taking care of Meeting House wood and it being \$22 for taking care of Grounds and House Sweep &c, \$11.00 for wood, \$2.50 for cutting of wood.

	\$22.00
	11.00
	2.50
Old &c	3.07
	<hr/>
	\$38.57
Paid	22
	<hr/>
Bal.	\$16.57

18420

The committee, Levi Bowerman, Bennet Bowerman and Robert H. Saylor is requested to raise this amount immediately and pay the above account and report.

Bennett Bowerman and Alexander Derbyshire are appointed to agree with some person to take charge of the meeting house and ground, build fires and sweep the house, open the house when required for one year, furnish the wood, also to collect the money and pay the same for one year from the first 18430 day of 1st month, 1879, and report next meeting.

Levi Bowerman and William Brandscomb are appointed to attend the Monthly Meeting our as representatives with the minutes from this and report.

(Sgd) R. H. SAYLOR,

Clerk.

Bloomfield Preparative Meeting of Friends held 1st month, 9th, 1879.

One of the representatives report they attended the Monthly Meeting in 12th month.

Joshua B. Dorland and Stephen W. White are appointed our representatives to the Monthly Meeting with the minutes from this and to report.

The queries were all read with answers to 6,

18440

The advices were also read and forwarded,

The Committee to agree with some person to have charge of meeting house and grounds, report that they have agreed with John Terrvilligan to make fires, sweep and to take the necessary care of the house and grounds for one year, commencing 1st of first month, 1879, for the sum of \$15.00. The wood is not agreed for yet. Continued. The Committee is to collect and pay the above sum (\$15.00) as shown on left hand page (\$1:57) uncollected old accounts.

15.00

1.57

\$16.57

18450

Sg'd. R. H. SAYLOR,

Clerk.

Bloomfield Preparative Meeting of Friends held 2nd month, 13th, 1879.

The representatives report that they attended the Monthly Meeting.

The committee to collect the money for the Preparative Meetings use report attention, and produce a receipt from Mariah Elkington, dated 22nd of first month, 1879, for the sum of \$22, which is the amount due her for her services during 1878, as caretaker of Meeting House and grounds, they were continued to collect and pay the balance \$16.57 for wood &c.

The committee C. G. B. and A. Derbyshire is to collect the money for the Yearly Meetings use and report in 4th month next.

18460

David Brandscomb and R. H. Saylor is appointed to attend the Monthly Meeting with the minutes from this and report.

Then concluded.

Sg'd

R. H. SAYLOR,

Clerk.

Bloomfield Preparative Meeting of Friends held 3rd month, 13th, 1879.

One of the representatives report he attended the Monthly Meeting.

The Committee to raise the money for the Preparative Meeting's use report attention. They are continued. Stephen W. White and Bennett Bowerman are appointed our representatives to attend the Monthly Meeting with the minutes from this and report.

18470

Then concluded.

Sg'd.

ROBERT H. SAYLOR,

Clerk.

Bloomfield Preparative Meeting of Friends, held 4th month, 10th, 1879.

The representatives report they attended the Monthly Meeting.

Stephen W. White and Alexander Derbyshire are appointed our representatives to attend the Monthly Meeting with the minutes from this and report.

Then concluded.

(Sg'd)

R. H. SAYLOR,

Clerk. 18480

Bloomfield Preparative Meeting of Friends, held 5th month, 8th, 1879.

The Clerk being absent St. W. White was appointed for the day.

One of the representatives report they attended the Monthly Meeting.

The queries were all read with the answers as follows. Also the advices were read. No account from the Committee to raise the balance of money for the Preparative Meeting's use; it being \$16.57. They are continued. The Committee to raise the money for the Yearly Meeting's use report attention. They are continued.

The minutes

1917

Statistical Department

Report of the President of the Board of Directors for the year 1916

One of the reports of the Board of Directors for the year 1916

The Committee to raise the money for the year 1916

Mr. H. H. H. and Mr. W. W. W. are appointed

The business being transacted was

Resolved: That the

One of the friends

The Committee to raise the money for the year 1916

continued: The time for which the

was appointed to

for one year

Mr. H. H. H. and Mr. W. W. W.

The

The statistics prepared are as follows ; Charles G. Bowerman and Joshua B. Dorland are appointed to attend the Monthly Meeting with the minutes from this and report.

(Sg'd)

ST. W. WHITE

18490

Clerk for the day.

Statistics Bloomfield Preparative Meeting :—

No. families,	25
Parts of families,	24
Members,	122
Children of schoolage,	20
Births and deaths,	2
Received into membership	0
Removed and disowned,	0

(Sg'd)

R. H. SAYLOR,

18500

Clerk.

Bloomfield Preparative Meeting of Friends held 6th month, 12, 1879.

One of the representatives report they attended the Monthly Meeting.

No account from the Committee to raise the money for the Preparative Meeting's use. They are continued.

The Committee to raise the money for the Yearly Meeting's use report attention.

Wm. Brandscomb and John White are appointed (they are continued) to attend the Monthly Meeting with minutes from this and report.

The business being accomplished we conclude.

Bloomfield Preparative Meeting of Friends held 7th month, 10th, 1879.

18510

One of the Friends report they attended the Monthly Meeting.

The Committee to raise the money for the Preparative Meeting's use report attention. They are continued. The time for which the Clerk was appointed having expired, Alexander Derbyshire and Charles G. Bowerman are appointed to bring to the next meeting the name of a Friend to serve as Clerk for one year.

David Brandscomb and Robert H. Saylor are appointed to attend the Monthly Meeting with the minutes from this and report.

The business being accomplished this meeting concludes.

Sg'd

R. H. SAYLOR,

Clerk.

18520

Time expired 7th, 10th, 1879.

Bloomfield Preparative Meeting of Friends held 8th month, 14th, 1879.

One of the representatives report they attended the Monthly Meeting.

The time for which the Clerk was appointed having expired the Committee propose the name of Robert H. Saylor for Clerk, which was united with and he is appointed for that station for one year ending 7th month, 1880.

Alexander Derbyshire and Stephen W Whie are our representatives to attend the Monthly Meeting with the minutes from this and report.

No account from the committee to collect the money for the Preparative Meetings use. They are continued. \$16.57. 18530

The money called for by the Yearly not all raised. The committee is continued.

The business being accomplished this meeting concludes.

Sg'd R. H. SAYLOR,

Clerk.

Bloomfield Preparative Meeting of Friends held 9th month, 11th, 1879.

The Clerk being absent St. W. White was appointed for the day.

One of the representatives appointed to attend the Monthly Meeting report they attended.

The queries have all been read in this meeting with their answers which are as follows.

No account from the Committee to collect money for the Preparative Meeting's use. They are continued. 18540

The Committee to collect the money for the Yearly Meeting's use report no progress. They are continued.

Levi Varney and Joshua B. Dorland are appointed to attend the Monthly Meeting with the business from this and report.

(Sgd) R. H. SAYLOR,

Clerk.

Bloomfield Preparative Meeting of Friends held 10th month, 9th, 1879.

No account from the representatives. Levi Varney and Joshua Dorland report they attended.

No account from the Committee to collect the money for the Preparative Meeting's use. They are continued. 18550

The Committee to collect the money for the Yearly Meeting's use report no further progress. They are continued.

Robert H. Saylor and Alex Derbyshire are appointed to attend the Monthly Meeting with the minutes from this and report.

Then concluded.

Sgd

ROBERT H. SAYLOR,

Clerk.

Bloomfield Preparative Meeting of Friends held 11th month, 15th, 1879.

The representatives they attended.

The Committee to raise the money for the Yearly Meeting's use report no further progress. They 18560 are continued. No account from the committee to raise the money for the Preparative Meeting's use. They are continued.

By order of the Monthly Meeting this Preparative Meeting is required to raise their respective portion of \$450 for the Yearly Meeting's use and pay the money to the Monthly Meeting's Clerk. This meeting appoints Stephen W. White and R. H. Saylor to collect our proportion of \$450, and pay the same to the Monthly Meeting Clerk, it being \$40.10.

This Preparative Meeting proposes to the Monthly Meeting to allow a portion of the real estate at Bloomfield to be sold to pay the debt that has accumulated against the said Preparative Meeting in consequence of repairs on house, as there is portions that might be disposed of and is believed would not in any way injure the appearance of said grounds. We ask the approval of the Monthly Meeting. 18570

Received a proposal of marriage—Gilbert Jones and Margaret Jane Hubbs—which was forwarded to the Monthly Meeting. The Committee reported at this time on births and deaths. Report the appointment was answered.

Joshua Brewer and Stephen White are appointed our representatives to attend the Monthly Meeting with the minutes of this and report.

Then concluded.

Bloomfield Preparative Meeting of Friends held 12th month, 11th, 1879.

One of the representatives report he attended the Monthly Meeting.

The Committee to collect the Yearly Meeting money report no further progress. They are continued. 18580

The Committee to collect the Preparative Meeting's money report near \$11.00, to be raised to pay for wood got from Margaret Jane Hubbs. They are continued. The Committee, Alex. Derbyshire and ard Bennett Bowerman report that they have agreed for 2 cords hard wood at \$3.50, fitted for stove, per cord. \$7.00 ; also 2 cords soft wood at \$2.50 per cord, fitted, \$5.00, total amount of wood furnished for

1879, to date, taking care of meeting house by John Terrill one year, \$15.00—\$27.00. Alex. Derbysire and Bennett Bowerman are appointed to agree with some person to have the necessary care of the meeting house and grounds for 1880, and report at the next meeting, collect and pay the same.

Stephen W. White and Joshua B. Dorland are appointed to revise the quota of this Preparative Meeting, use and report to next meeting.

This Meeting wishes to call the attention of the Monthly Meeting to the requirements (page 119 of 18590 Discipline) in reference to trustees and records of papers as required by the discipline.

Amos Bowerman and Stephen W. White are appointed to attend the Monthly Meeting with minutes from this and report.

Then concluded.

Sg'd

R. H. SAYLOR,

Clerk.

Bloomfield Preparative Meeting of Friends held 1st month, 8th, 1880.

The representatives to attend the Monthly Meeting report they attended.

The Committee to collect the money for the Yearly Meeting's use for 1879 report no further progress They are continued.

18600

The Committee to collect moneies for the Preparative Meeting report attention. They are continued.

The Committee to agree with some person to take charge of Meeting House and grounds, to build fires, and sweep the house for one year, report they have agreed with John Terwilliger for the year of 1880, for the sum of \$15.00,

Joshua B. Dorland and Stephen W. White are appointed to attend the monthly Meeting with the minutes from this and report.

The queries have all been read, answers to 6. The advices were also read. Charles G. Bowerman and Amos Bowerman are appointed to enquire into the daily reading of the Holy Scriptures in their families and report.

The business being accomplished this meeting concludes.

18610

Sg'd

R. H. SAYLOR,

Clerk.

Bloomfield Preparative Meeting of Friends, held 2nd month, 12th, 1880.

No account from the representatives to attend the Monthly Meeting, They are continued to report.

No account from the Committee to collect the Yearly Meeting's money. They are continued.

The Committee to collect the money for the Preparative Meetings use report attention. They are continued.

Came to this meeting by way of the overseers a request to be released from membership amongst us, signed, Henry Hubbs, also a like request signed, James W. Noxon, which was directed to be forwarded to the Monthly Meeting. 18620

The representatives are Alexander Derbyshire and Joshua Brewer are to attend the Monthly Meeting with the business from this and report.

The business being accomplished this meeting concluded.

(Sg'd)

R. H. SAYLOR,

Clerk.

Bloomfield Preparative Meeting of Friends, held 3rd month, 11th, 1880.

One of the representatives report they attended the Monthly Meeting.

The Committee to collect the money for the Yearly Meetings use in 1879. No further progress. They are continued.

The Committttee to the collect Preparative Meeting money some progress. They are continued. 18630

Joshua B. Dorland and Bennett Bowerman are appointed representatives to attend the Monthly Meeting with minutes from this and report.

Then concluded.

Sg'd.

ROBERT H. SAYLOR,

Clerk.

Bloomfield Preparative Meeting of Friends held 4th month, 8th, 1880.

The representatives report they attended the Monthly Meeting.

The Committee to collect the money for the Yearly Meetings use in 1879, report no further progress. They are continued.

The Committee to collect the money for the Preparative Meeting's use report some progress. They 18640 are continued.

Stephen W. White and Alex Derbyshire are appointed to attend the Monthly Meeting with minutes from this to report.

The business being accomplished the meeting concluded.

(Sg'd)

R. H. SAYLOR,

Clerk.

Bloomfield Preparative Meeting of Friends held 5th month, 13th, 1880.

The representatives report they attended the Monthly Meeting.

No account from the Committee to collect the money for the Yearly Meeting's use. No account from the Committee to collect the Preparative Meeting's money. Committee continued.

R. H. Saylor and Johnson Brewer are appointed to attend the Monthly Meeting with the minutes of this and report.

The queries were all read, the answers were also read and answers as follows.

Then concluded.

Sgd

ROBERT H. SAYLOR,

18650

Clerk.

Bloomfield Preparative Meeting of Friends held 6th month, 10th, 1880.

One of the representatives report they attended the Monthly Meeting.

The Committee to collect the money for the Yearly Meeting's use for 1879 report attention. They are continued.

The Committee to collect the money for the Preparative Meeting's use report attention. They are continued.

The Committee to collect the money for the Yearly Meeting's use ordered 1879, last year, report attention. They are continued.

Charles G. Bowerman and Alexander Bowerman appointed in 2nd month, 13th, 1879, to collect 18660 the Yearly Meeting's money for 1878.

Stephen W. White and R. H. S are on the appointment to collect the Yearly Meeting money for 1879.

Alexander Derbyshire and John White are appointed representatives to attend the Monthly Meeting with the minutes from this and report.

The business being accomplished this meeting concludes.

Sg'd

R. H. SAYLOR,

Clerk.

Bloomfield Preparative Meeting of Friends held 7th month, 8th, 1880.

One of the representatives to attend the Monthly Meeting report they attended.

The several Committees as above are to report in 10th month next.

18670

Joshua B. Dorland and Samuel C. Saylor are appointed our representatives to attend the Monthly Meeting with minutes from this and report.

Concluded.

(Sgd) R. H. SAYLOR,

Clerk.

Bloomfield Preparative Meeting of Friends held 8th month, 12th, 1880.

The representatives to attend the Monthly Meeting report they attended.

Alex. Derbyshire and St. W. White are appointed to attend the ensuing Monthly Meeting with minutes from this and report. Came to this meeting by way of the overseers a request to become a member of our society, signed Charles Finamore, which was directed to the Monthly Meeting. 18680

A number of books for Yearly Meeting for the library were entered in the library.

(Sg'd) R. H. SAYLOR,

Clerk.

Bloomfield Preparative Meeting of Friends held 9th month, 9th, 1880.

The queries have all been read in this meeting and answers to 6 as follows. The advices have also been read.

One of the representatives appointed to attend the Monthly Meeting report they attended.

Joshua B. Dorland and Johnson Brewer are appointed to attend the ensuing Monthly Meeting with the business from this and report.

Received at this time our proportion of Yearly Meeting minutes. 18690

Then adjourned.

(Sg'd) ST. W. WHITE,

Clerk.

Bloomfield Preparative Meeting of Friends held 10th month, 14th, 1880.

No account from the representatives. They are continued to report.

Alexander Derbyshire and Zacaria Haight are appointed as our representatives to attend the Monthly Meeting with minutes from this and report.

The Committee to collect the Preparative Meeting's money report us no further progress. They are continued. No account from the committee to collect the money called for by the Yearly Meeting. They are continued to report next month. 18700

Then concluded.

Bloomfield Preparative Meeting of Friends held 11th month, 11th, 1880.

The representatives in 9th month are continued to report.

The representatives in 9th meeting report they attended. The Committee in the 10th month report they attended the Monthly Meeting.

The Committee to collect the Yearly Meeting's money report no further progress. They are continued.

The Committee to collect the Preparative Meeting's money report money not all raised, They are continued.

Alexander Derbyshire and David Brandscomb are appointed to attend the monthly Meeting with the 18710 minutes from this and report.

Then concluded.

Sg'd

R. H. SAYLOR,

Clerk.

Bloomfield Preparative Meeting of Friends held 12st month, 9th, 1880.

The representatives being called were not present. They are continued to report in 1st month, 1881.

Charles G. Bowerman and Robert H. Saylor are appointed our representatives to attend the Monthly Meeting with minutes from this and report.

No further progress in collecting the money for the Yearly Meeting's use. They are continued,

It being,	\$40.10	18720
Collected and paid,	16.25	
Continued due,	<u>\$23.85</u>	

No report from Committee to collect the Preparative Meeting money. They are continued to report in next month.

The business being accomplished this meeting concluded.

Bloomfield Preparative Meeting of Friends held 1st month, 13th, 1880.

The Clerk being absent St. W. White was appointed for the day.

The representatives being called were not present, but they reported they attended the Meeting in 11th month. The representatives appointed to attend the last Monthly Meeting report they attended. 18730

The Committee to collect the money for the Yearly Meeting's use report no further progress. They are continued.

The Committee to collect the Preparative money not being present, they are continued.

There was an order from the Monthly Meeting ordering the Preparative Meeting to raise their portion of \$500, it being \$39.20, its proportion.

William Brewer and Amos Bowerman are appointed to attend the Monthly Meeting next with minutes and report.

The Preparative Meeting being so few in attendance the appointment was deferred to next month.

Amos Bowerman and William Brandscomb are appointed representatives to attend the Monthly Meeting with minutes and report.

18740

Amos Bowerman and Charles G. Bowerman are appointed to agree with some one to have the necessary care of the Meeting House and grounds, and furnish wood for the present year, 1881.

The queries were all read, answers to 6 of them. The advices were also read and are as follows.

Bloomfield Preparative Meeting of Friends, held in Bloomfield 2nd month, 10th, 1881.

The representatives report they attended the Monthly Meeting.

The Committee to collect the Preparative Meeting money report attention. The Committee to collect the money called for by the Yearly Meeting report attention.

The last Preparative Meeting report, in consequence of the fewness of its members there was no committee appointed to collect our proportion of the money called in 1880, it being \$500, our proportion \$39.20.

18750

Charles G. Bowerman reports that he has paid the caretaker, John Terrvilligar for the last year services \$15.00 his services ending 31st, 11th, 1880, and has engaged John Terrvillgar as the caretaker for the year 1881 for the sum of \$15.00.

This meeting unites in appointing a committee of 3, Joshua Dorland, Samuel C. Saylor and Charles G. Bowerman to collect the monies required for our Preparative Meeting and pay the indebtedness, also to collect the monies calledfor by the Yearly Meeting and pay the same to the treasurer of this Meeting and report next month.

This meeting reappoints Robert H. Saylor, Samuel C. Saylor and Joshua B. Dorland to attend the Monthly Meeting with minutes from this and report,

Amount of indebtedness for wood and cutting (2nd month, 15th, 1881)	\$36.25	18760
“ “ “ repairs	55.66	
“ “ “ Yearly Meeting's use	39.20	
“ “ “ for school	00.00	

The business being accomplished the meeting concluded.

Sg'd

R. H. SAYLOR,

Clerk.

In Women's Meeting Eliza H. Varney has asked what hour on 1st day would we be willing for them, the separatists, to have the house on first day to hold their meeting, so as not to interfere with Friends Meeting: 2 o'clock was the hour asked for (E. H. Varney came in men's meeting; it was closed.

18770

Bloomfield Preparative Meeting of Friends, held 3rd month, 10th, 1881.

The representatives being called report they attended the Monthly Meeting and a minute produced from the Monthly Meeting directing the Preparative Meeting to adopt the New York Yearly Meeting Discipline as directed by our last Yearly Meeting in Canada.

Anthony Haight Monthly Meeting clerk.

The Preparative Meeting's money for Yearly Meeting's purpose for 1880 is \$39.20. Amount of money called for Preparative Meetings :—

Fire wood,	\$19 25	
Care of house,	15.00	
For wood,	2.50	18780
	<hr/>	
	\$36.75	

The above to be paid to Charles G. Bowerman.

Came to this meeting five requests to become members of our society one signed Andrew M. Dorland, one Gideon Gowerman; one John G. Sargent, one Samuel Smith, and Joseph G. Bowerman which was directed to the Monthly Meeting, and appoints Stephen W. White and John Cronk as our representatives to attend the Monthly Meeting with minutes from this and report.

The business being accomplished this meeting concludes.

The Committee to collect the money called for by the Yearly Meeting report it not all raised. They are continued. 18790

(Sg'd) R. H. SAYLOR,

Clerk

Bloomfield Preparative Meeting of Friends held 4th month, 14th, 1881.

The representatives report they attended the Monthly Meeting.

The money called for by the Yearly Meeting not all raised.

The money called for the Preparative Meetings use not all raised. The Committees are continued to report and pay as directed.

Samuel C. Saylor is appointed treasurer for the Preparative Meeting at Bloomfield.

Stephen W. White and Samuel C. Saylor are appointed our representatives to attend the Monthly Meeting with minutes from this and report. 18800

Bloomfield Preparative Meeting of Friends held 5th month, 1881.

One of the representatives report he attended the Monthly Meeting.

The money called for Yearly Meeting use not all raise. The committee is continued. For the Preparative Meetings use, not all raised. The committee is continued to raise and forward to the treasurer.

This Preparative Meeting is united with the Women's consent to ask the Monthly Meeting for the privilege of holding our Meeting at Bloomfield on first day at 10 o'clock.

The queries have been read and answers to 7. The advices have also been.

Joseph Bowerman and Abraham B. Saylor are appointed our representatives to attend the Monthly Meeting with minutes from this and report.

Sg'd. ROBERT H. SAYLOR, 18810
Clerk.

Bloomfield Preparative Meeting of Friends held 6th month, 9th, 1881.

One of the representatives report that one of them attended the Monthly Meeting.

The money called for the Yearly Meeting's use for 1879 and 1880 not all raised. The committee is continued to raise and forward as directed.

The moneys called for by the Preparative Meeting for its use not all raised. The committee is continued to raise and pay to the treasurer as directed.

Stephen W. White and Judah Philley Bowerman are appointed as our representatives to attend the Monthly Meeting with minutes from this and report.

The time for which the clerk was appointed has expired. Stephen W. White and Joseph G, 18820 Bowerman are appointed to bring forward to the next Meeting the name of a Friend to serve as Clerk for one year.

The business being accomplished this meeting concludes.

Sg'd R. H. SAYLOR,
Clerk.

Bloomfield Preparative Meeting of Friends held 7th month, 14th, 1881.

One of the representatives report he attended the Monthly Meeting.

The committee to collect the money for Yearly Meeting use is to report in 10th month next.

The committee to collect the money for the Preparative Meeting's use will be called to report in 10th month. 18830

Abraham B. Saylor and Charles G. Bowerman are appointed to attend the Monthly Meeting with the minutes from this and report.

The committee to bring forward the name of a Friend to serve as clerk not being prepared to report they were continued to report in next month.

The business being accomplished the meeting concludes.

Sgd. ROBERT H. SAYLOR,
Clerk.

Bloomfield Preparative Meeting of Friends held 8th month, 11th, 1881.

The representatives appointed to attend the Monthly Meeting were not present. Sufficient reason given for their absence. The minutes were forwarded.

18840

The committee to bring forward the name of a Friend for clerk for the coming year propose Stephen W. White's name which was fully united with and he is appointed to that service for one year.

Alexander Derbyshire and S. W. White are appointed to attend the Monthly Meeting with the business from this and report to next meeting.

The business being accomplished this meeting concludes.

(Sg'd) ST. W. WHITE,

Clerk.

At Bloomfield Preparative Meeting of Friends held 9th month, 8th, 1881. the representatives appointed to attend the Monthly Meeting report they attended.

The queries were all read in this meeting, answers to 2 of them, which were as follows. The advices were also read.

18850

Joshua B. Dorland and Alexander Derbyshire are appointed to attend the Monthly Meeting with the business from this and report to next meeting.

The business being accomplished this meeting concluded.

(Sg'd) S. W. WHITE,

Clerk.

At Bloomfield Preparative Meeting of Friends held 10th month, 13th, 1881.

The representatives appointed to attend the Monthly Meeting report they attended.

The Committee to collect the money for the Preparative Meeting's use report attention, They are continued to report next month.

18860

Joseph Bowerman and Joshua B. Dorland are appointed to attend the Monthly Meeting with the business from this and report.

The business being accomplished this meeting concludes.

Sg'd S. W. WHITE,

Clerk.

At Bloomfield Preparative Meeting of Friends held 11th month, 10th, 1881.

The representatives appointed to attend the Monthly Meeting report they attended, bringing advices from the same directing the Preparative Meeting to raise its proportion of \$300 for the Yearly Meetings use, it being \$26 60, which was directed to be raised as soon as needed, also to the observance of the minutes with regard to statistics.

18870

The Committee to collect the money for this Meeting's use report attention. They were continued to raise it.

Charles G. Bowerman and Robert H. Saylor are appointed to attend the Monthly Meeting with the business from this and report.

No further business the meeting adjourned,

Sg'd

S. W. WHITE,

Clerk.

At Bloomfield Preparative Meeting of Friends, held 12th month, 8th, 1881.

The representatives appointed to attend the Monthly Meeting report they attended.

The committee to collect the money for this meeting's use report some attention,

18880

Joseph Bowerman and Joshua B. Dorland are appointed to agree with some one to take charge of the meeting house and grounds belonging thereto, to build fires, sweep, &c., for one year.

Robert and Samuel Saylor are appointed to attend the Monthly Meeting with the business from this and report,

The business being accomplished the meeting concludes.

(Sg'd)

S. W. WHITE,

Clerk.

At Bloomfield Preparative Meeting of Friends held 1st month, 12th. 1882.

One of the representatives appointed to attend the Monthly Meeting report they attended.

The queries were all read in this meeting and 2 of them answered, as follows. The advices were also read. 18890

The Committee appointed to collect the money for this Meeting's use report some attention. They were continued.

No account the Committee to agree with some one to take charge of the meeting house and grounds &c. They are continued to report next month.

Robert H. Saylor and S. W. White are appointed to procure the necessary amount of wood required for the present year, and to draw on the treasurer for funds if required. and report.

S. W. White and Alex. Derbyshire are appointed to attend the Monthly Meeting with the business from this and report.

Then concluded.

18900

At Bloomfield Preparative Meeting of Friends held 2nd month, 9th, 1882.

The Committee appointed to attend the Monthly Meeting report they attended.

The Committee appointed to collect the money for this Meeting's use report some further progress. They are continued to report next month.

The Committee to agree with some one to take charge of the Meeting house and grounds, build fires, &c. for one year report they have agreed with Gideon Bowerman for the sum of \$15.00.

The Committee to procure wood report attention. They are continued.

S. W. White and Miles Lucas are appointed to attend the Monthly Meeting as our representatives from this and report.

Then adjourned,

At Bloomfield Preparative Meeting of Friends held 3rd month, 9th, 1882.

Came before this meeting a proposition to hold our meetings in joint session with the 18910 Women. After a time of deliberation it was united with having the concurrence with the Women's Meeting,

Accordingly Friends met to-day in joint session and appoints Stephen W. White, Clerk and Catharine Saylor Assistant, to serve for one year.

One of the representatives report three of their number attended the Monthly Meeting and a reasonable excuse offered for the other.

The committee to collect the money for this meeting's use report some progress. They are continued.

The Committee to procure wood for the coming year report attention. They are continued.

A. B. Saylor, Harriet McDonald, Joseph Bowerman and Sarah Ann Derbyshire are appointed to attend the ensuing Monthly Meeting with the business from this and report to next meeting. 18920

The exercises of the Meeting being amicably and mutually transacted, we trust in best wisdom.

The adjournment was read.

Bloomfield Preparative Meeting of Friends, held 4th month, 13th, 1881.

One of the representatives appointed to attend the Monthly Meeting report three of them attended and a satisfactory reason assigned for the non-attendance of the other.

The Committee to collect the money due by the Meeting report some further progress. They are continued.

The Committee to procure wood for the present year report attention. They are continued to report in the Monthly next.

Joshua B. Dorland and S. W. White are appointed to apportion the rate per centum on the paying 18930 members of this Meeting and report.

S. W. White and Joseph Bowerman are appointed to collect the money for the Yearly Meeting's use, it being \$26-60, and to furnish correct statistics of the Meeting according to the direction of the minutes.

Lydia S. Hubbs, S. G. Bowerman, Joseph Bowerman, Joshua B. Dorland are appointed to attend the Monthly Meeting with the business from this and report.

(Sg'd)

S. W. WHITE,

Clerk

no representation appears
as I have all been

This is referred to question 10
unanswered

1000

five letters

a committee appears need to attend the monthly
to collect the money for the school

Joseph Ann I. Robinson

Misses Robinson
Misses Robinson
Misses Robinson

Bloomfield Preparative Meeting of Friends held 5th month, 11th 1881.

The representatives appointed to attend the Monthly Meeting report they attended.

18940

The queries have all been read in this Meeting with their respective answers. The advices were also read.

The committee to collect the money for this Meeting's use report attention. They are continued.

The committee to collect the money for the Yearly Meeting use report some progress. They are continued.

The committee to apportion the rate per cent. on the paying members report the appointment answered.

Upon inquiry we find the outstanding indebtedness of this Meeting to be \$20.

Samuel Saylor, Rachel Saylor, Robert Saylor and Merrium N. White are appointed our representatives to attend the Monthly Meeting with the business from this and report.

18950

Sg'd.

S. W. WHITE,

Clerk.

At Bloomfield Preparative Meeting of Friends held 6th month, 8th, 1882.

The representatives appointed to attend the Monthly Meeting report they attended.

The committee to collect the money for this Meeting's use report some further progress.

The Committee to collect money for the Yearly Meeting's use report it all raised and forwarded, it being \$26.60.

Sarah Ann Derbyshire, Alex. Derbyshire, Stephen W. White and Rachel Saylor are appointed to attend the Monthly Meeting as our representatives with the business from this and report.

Then adjourned.

18960

Sg'd

S. W. WHITE,

Clerk.

At Bloomfield Preparative Meeting of Friends held 7th month, 13th, 1882.

The representatives appointed to attend the Monthly Meeting report they attended.

The committee appointed to collect the amount of \$2 and pay to S. J. Bowerman for cleaning the Meeting house and report.

S. W. White and Alex. Derbyshire are appointed to procure lamps sufficient to light the Meeting House and report.

Came to this meeting by way of the overseers a request to be joined in membership with Friend signed John H. Kirby, which was directed to the Monthly Meeting.

18970

Joseph Bowerman, Merrium N. White, Mary Jane Bowerman and Alex. Derbyshire are appointed to attend the Monthly Meeting with the business from this and report.

Then adjourned.

Sgd

S. W. WHITE,

Clerk.

At Bloomfield Preparative Meeting of Friends held 8th month, 10th, 1882.

The representatives appointed to attend the Monthly Meeting report they attended.

The committee to collect the balance of the money for this meeting's use not present. They are continued.

The Committee to collect the pay for house cleaning report not all raised. They are continued.

18980

One of the Committee to procure lamps for the meeting house report having attended to their appointment, which was satisfactory to the meeting. They were accordingly appointed to collect the sum of \$12.00 to defray the expenses.

Cinderella Saylor, Catharine Saylor, Joshua B. Dorland and A. B. Saylor are appointed to attend the Monthly Meeting with the business or minutes from this and report.

Then adjourned.

(Sg'd)

S. W. WHITE,

Clerk.

At Bloomfield Preparative Meeting of Friends held 9th month, 14th, 1882.

The representatives appointed to attend the Monthly Meeting report they attended.

18990

The queries were all read in this meeting with the answers to two of them, which are as follows. The advices were also read.

The committee to collect the money for this meeting's use not being present was continued.

The committee to collect the pay for house cleaning report it raised and paid over.

The committee to collect the sum of \$12.00 to pay for lamps report it nearly all raised ; \$3.25 behind.

Came to this meeting by way of the overseers two requests to be joined in membership with us, signed Frank and Adelia Davis, which is directed to the Monthly Meeting.

Joseph Kingston, S. W. White, Rachel Saylor and Catharine Cronk are appointed to attend the Monthly Meeting with the business from this and report.

19000

Sg'd

S. W. WHITE,

Clerk.

Bloomfield Preparative Meeting of Friends, held 10th month, 12th, 1881.

The representatives appointed to the Monthly Meeting report they attended with one exception and a reason given for non-attendance,

The committee to raise the money for this meeting's use report no further progress. They are continued.

The committee to collect the balance of money for lamps are continued to report next month.

Sarah Ann Derbyshire, Hannah Dorland, Herbert Kerby and Andrew Dorland are appointed as our representatives to the Monthly Meeting and to report.

19010

(Sg'd) C. S. BOWERMAN,

Clerk for the day.

At Bloomfield Preparative Meeting of Friends held 11th month, 9th, 1882.

The representatives report they attended the Monthly Meeting.

The Committee to collect the money for this meetings use report no progress. They are continued to report when ready.

No report from the committee on lamps. They are continued to report next month.

This Meeting requests the Monthly Meeting to consider the propriety of the Separalists holding meetings in our meeting house in the future as there is much need of repairs.

Frank Davis, Sarah Derbyshire, Joseph and C. G. Bowerman are appointed to attend the Monthly Meeting with the business from this and report.

19020

(Sg'd) R. H. SAYLOR,

Clerk for the day.

At Bloomfield Preparative Meeting of Friends held 12th month, 14th, 1882.

The representatives appointed to attend the Monthly Meeting report they attended.

The Committee to collect the money due on lamps report the amount collected and paid over.

The Committee to report on wood in 10th month are continued to report in first month.

Joshua B. Dorland and Joseph Bowerman are reminded of their appointment to collect the amount due the caretaker.

A. B. Saylor and Alexander Derbyshire are appointed to engage some one to take care of meeting house and yards, build fires, sweep and clean house the coming year.

19030

Sarah Jane Bowerman, Eliza Brewer and Andrew Dorland are appointed to attend the Monthly Meeting with the business from this and report.

The business being accomplished this meeting concludes.

Sg'd

R. S,

Clerk for the day.

P. S.—Came to this meeting a request for membership, signed Anna Kingston, which was directed to the Monthly Meeting.

(Sg'd)

R. SAYLOR,

Clerk for the day. 19040

Bloomfield Preparative Meeting of Friends held 1st month, 11th, 1883.

The representatives appointed to attend the Monthly Meeting report they attended.

The queries were all read in this meeting with answers to 2 of them which are as follows.

The Committee on wood report their appointment fulfilled.

Robert Saylor and S. W. White are appointed to get wood for the present year by voluntary means if practicable and report.

The Committee to collect the money due the caretaker report some progress. They are continued.

The Committee to engage caretaker for this year not ready to report. Are continued.

The Committee to collect money due by this Meeting report it all raised and paid over.

Catharine Cronk, John Cronk, Catharine Saylor and Frank Davis are appointed to attend the 19050 Monthly Meeting with the business from this and report,

Then adjourned.

(Sg'd)

ST. W. WHITE,

Clerk.

Bloomfield Preparative Meeting of Friends held 2nd month, 1st, 1883.

The representatives appointed to attend the Monthly Meeting report they attended.

The Committee to procure wood report attention.

The money due the caretakers for last year's services is raised and paid.

No report of Committee to engage caretakers for this year. They are continued.

C. G. Bowerman, Sarah Jane Bowerman, Merrium and Stephen White are appointed to attend the 19060 Mouthly Meeting with the business from this and report.

Then adjourned.

(Sg'd) S. W. WHITE,

Clerk.

Bloomfield Preparative Meeting of Friends held 3rd month, 8th 1883.

One of the representatives report part of them attended the Monthly Meeting.

The committee to procure wood report attention. They are continued.

The committee to engage caretakers are continued to report,

No committee to collect the money called for by the Yearly Meeting's use or to get the statistical account. Deferred for next month.

19070

Came to this Meeting a request to be joined in membership with Friends, signed Robert Scott which is directed to the Monthly Meeting.

Adelia Davis, Merrium White, Frank Davis and Joshua B. Dorland are appointed to attend the Monthly Meeting with the business from this and report.

Sg'd. S. W. WHITE,

Clerk.

Bloomfield Preparative Meeting of Friends held 4th month, 12th, 1883.

The representatives appointed to attend the Monthly Meeting report they attended.

The committee appointed to engage caretakers report they have agreed with Sarah Jane Bowerman to build fires, clean, sweep, take care of the meeting house and yard for one year for the sum of \$20. 19080

C, G. Bowerman and Joseph Bowerman are appointed to collect the money called for the Yearly Meeting's use, also to prepare statistics.

S. W. White, Alex. Derbyshire, Catharine Saylor and Lydia Hubbs are appointed to attend the Monthly Meeting with the business from this and report.

Then adjourned.

Sg'd S. W. WHITE,

Clerk.

At BloomfieldPreparative Meeting of Friends held 10th of 5th month, 1883.

The representatives appointed to attend the Monthly Meeting report they attended.

The Committee to collect the money for the Yearly Meeting's use report some attention. They are 19090 continued.

At this stage the Clerk requested to be released owing to illness and C. G. Bowerman was appointed for the day to act in his stead.

The queries have all been read in this Meeting with answers to 7 of them which are as follows. The advices were also read.

Came to this meeting by way of the overseers complains against Margaret J. Jones and Mary Bowerman which is directed to the Monthly Meeting.

Sarah Ann Derbyshire, S. W. White, Alex. Derbyshire and Catharine Saylor, are appointed to attend the Monthly Meeting with the business from this and report.

Then adjourned,

19100

(Sg'd)

S. W. WHITE,

Clerk

Bloomfield Preparative Meeting of Friends, held 6th month, 14th, 1883.

The representatives appointed to attend the Monthly Meeting report they attended.

The committee to collect the money for the Yearly Meeting's use report attention; They are continued.

The time for which the clerks were appointed having expired S. W. White and Catharine Saylor names being proposed and considered were united with and they were appointed to that service for one year.

Joseph Bowerman, Merrium White, Joseph Kingston and Sarah Jane Bowerman are appointed to 19110 attend the Monthly Meeting with the business from this and report.

Then adjourned.

(Sg'd)

S. W. WHITE,

Clerk.

At West Lake Preparative Meeting of Friends held 7th month, 12th, 1882.

The representatives appointed to attend the Monthly Meeting report they attended.

The committee to collect the money for the Yearly Meeting's use report their appointment fulfilled.

Elizabeth Sweetman, Anna Kingston, Robert Saylor and J. B. Dorland are appointed to attend the Monthly Meeting with the business from this and report.

The business being accomplished this Meeting adjourned,

19120

(Sg'd)

S. W. WHITE,

Clerk.

West Lake Preparative Meeting of Men and Women Friends held in joint session at Bloomfield 8th month, 9th, 1883.

The representatives appointed to attend the Monthly Meeting report they attended.

Sarah Foster, Joseph Kingston, Adelia Davis and John Dorland are appointed as our representatives to attend the Monthly Meeting with the minutes from this and report.

The London general epistles have been received and distributed.

This Meeting adjourns to meet next month if the Lord permits.

Sg'd

CATHARINE SAYLOR,

19130

Assistant Clerk and Clerk for the day.

West Lake Preparative Meeting of Friends held in joint session 13th, of 9th month, 1883.

The representatives appointed to attend the Monthly Meeting report they attended.

The Meeting appoints Frank Davis Robert H. Saylor, Merriam W. White and Lydia S. Hubbs to attend the ensuing Monthly Meeting with the business from this and report to our next.

No further business this Meeting concludes.

Sg'd

S. W. WHITE,

Clerk.

DEFENDANTS' EXHIBIT "A"

Record of proceeding appointing Defendant's Trustees:—

19140

Moved by Gilbert Jones, seconded by William Valentine, that

Whereas the land hereinafter described are now been by trustees of the West Lake Monthly Meeting of Friends appointed by said Monthly Meeting to secure the title of meeting house, lots and burying grounds, without the manner of appointing successors being set forth in the deeds of grant a conveyance thereof,

And, Whereas, the said the West Lake Monthly Meeting of Friends is not a body corporate,

And, Whereas, Chapter two hundred and sixteen of the Revised Statutes of Ontario, prescribes the mode in which, under the circumstances aforesaid. any Congregation or Society of Christians of any denomination may determine in what manner the success was to such trustees shall be appointed out of the members of the religious denominations on whose behalf lands where originally granted, conveyed or conceded, and also the mode of appointment of trustees of any lands to which the said congregation or Society is entitled and their successors in the trust. 19150

And, Whereas, it is desirable that the said "The West Lake Monthly Meeting of Friends," should declare in what manner the successors to the present trustees of said lands and their successors shall be appointed,

And, Whereas, it is also desirable to appoint new trustees of the said lands to hold the same in trust for the said "The West Lake Monthly Meeting of Friend."

And, Whereas, the Meeting of the West Lake Monthly Meeting of Friends, at which this resolution is passed shall at the time and place appointed of the discipline by the Society of Friends in Canada and in pursuance of the said provisions of the said Statute.

19160

Be it therefore, and it is hereby resolved by the West Lake Monthly Meeting of Friends and the said and the West Lake Monthly Meeting of Friends hereby determine that the manner in which successors to the trustees hereinafter named shall be from time to time hereafter appointed out of the members of the said, the West Lake Monthly Meeting of Friends shall be by the voice of the said the West Lake Monthly Meeting of Friends, as recorded by the Clerk thereof in the Monthly Meeting Book, the same being ascertained and determined according to the ancient and established usage and custom of the Society of Friends, and also

Be it and it is hereby further resolved and determined that John Garrett, Levi V. Bowerman and Amos G. Bowerman be and they are hereby appointed trustees of the following lands and premises, namely

Firstly:—All that certain parcel or tract of land situate, lying and being in the Township of 19170 Hallowell, Mid District and Province of Upper Canada, containing by admeasurement six acres, be the same more or less—composed of a part of lots number Nine and Ten in the Second Concession. Military Tract, which said land is butted and bounded may be otherwise known, that is to say:—Commencing at a post marked “A,” north of the Meeting house and on the line between the aforesaid lots numbers Nine and Ten, then running north seventy degrees west eight rods. Then south twenty degrees west sixty rods, more or less to the waters edge of a creek, south of the aforesaid Meeting house. Then an easterly course along the creek sixteen rods. Then north twenty degrees east sixty rods more or less. Then north seventy degrees west, eight rods more or less to the place of beginning.

Secondly.—All and singular that certain piece and parcel of land lying being and situate in the Township of Ameliasburg (now Hillier) County of Prince Edward and Province of Ontario, being part 19180 of lot number Three. in the first concession, Lake Side in said Township of Hillier, containing by admeasurement one acre and a half, which said acre and a half is butted and bounded or may be otherwise known as follows:—Commencing at a stake or post marked “A. B.” at the roads edge at the west side of said lot thirty-seven chains from the waters edge. Then north seventy degrees east five chains. Then north twenty degrees west three chains. Then south twenty degrees west to the road's edge five chains south twenty degrees east three chains to the place of beginning.

To have and to hold the said lands, tenements and premises upon the special trust that the same shall be forever hereafter held by the said trustees hereby appointed and their successors for the use of the members of the religious society of Quakers, called and known as the society of Friends of the West Lake Monthly Meeting of Friends, which society shall be exclusively composed of persons who conform 19190 to the discipline and who hold and maintain the doctrines of Christian faith and belief of the Society of Friends as determined upon, set forth and declared by the Society of Friends of the New York Yearly Meeting at the Meeting of the said Society in the city of New York, in the state of New York one of the United States of America, in the year one thousand eight hundred and fifty-nine.

(Sg'd)

LEVI VARNEY,

Chairman and Clerk of West Lake Monthly Meeting of Friends.

At a Meeting duly convened the 19th day of 4th month, 1883, for the purposes set forth in the foregoing resolutions, B. S. Hubbs moved and D. S. Hubbs seconded that Levi Varney be appointed Chairman.—Carried.

Gilbert Jones moved, and Henry Haight seconded, that Levi V. Bowerman be appointed Secretary. 19200
—Carried.

The resolutions being read were carried unanimously, twenty-six male members being present and voted.

(Sg'd)

LEVI VARNEY,

Chairman.

I hereby certify that the above is a true copy of the proceedings referred to therein,

(Sg'd)

LEVI VARNEY,

Chairman.

I, Levi Varney of the village of Bloomfield, in the County of Prince Edward, Merchant, do solemnly sincerely and truly affirm and declare that the taking of an oath is, according to my religious belief, 19210
unlawful, and I do solemnly, sincerely and truly affirm and declare

1 That I am the duly appointed Clerk of the West Lake Monthly Meeting of Friends and that the office of such Clerk contains in itself the office of Chairman and Secretary at all Meetings of the said, the West Lake Monthly Meeting of Friends, and that I acted in that capacity at the Meetings herein-after mentioned.

2 That the paper writing hereto annexed is a true copy of the record entered and transcribed in the minute book of the said The West Lake Monthly Meeting of Friends, the same being the official register of the act and proceedings of the said the West Lake Monthly Meeting of Friends, duly signed by me and deposited for record among the archives of the said the West Lake Monthly Meeting of Friends of the proceedings had at a public meeting of the said the West Lake Monthly Meeting of Friends held at 19220
their Meeting house in the village of Bloomfield in the county of Prince Edward on the fifth day (called Thursday) the 19th of fourth month (called April) A.D. 1883, duly convened by notice in writing signed by five members of the said the West Lake Monthly Meeting of Friends and affixed to the door of the said place of worship eight days previous to the day appointed for holding such Meeting the same being the regular Monthly Meeting day according to the discipline of the said the West Lake Monthly Meeting of Friends.

(Sg'd)

LEVI VARNEY.

Affirmed before me at the Town of Picton in the County of Prince Edward, this 20th day of April
A. D., 1883.

Sg'd

G. C. CURRY.

19230

A Justice of the Peace in and for the County of Prince Edward,

COPY OF NOTICE.

Notice is hereby given that pursuance to the Revised Statutes of Ontario, Chapter 216, a public meeting will be held at the Friends Meeting House in Bloomfield, County of Prince Edward, on the fifth day, 19th day of the fourth month, 1883, at the hour of one o'clock in the afternoon to appoint trustees of any and all lands in the village of Bloomfield to which West Lake Monthly Meeting of Friends are entitled and to determine in what manner the successors to such trustees shall be appointed out of the members of said West Lake Monthly Meeting of Friends.

Dated the 10th day of 4th month, 1883.

Signed

{ LEVI V. BOWERMAN,
LEVI VARNEY,
G. JONES,
W. VALENTINE,
D. S. HUBBS.

19240

I certify that the within is a true copy of a document registered in the Registry Office for the county of Prince Edward in book K, No 6093 for Hallowell.

Sg'd

T. BOG,

(L. S.)

Dep. Reg.

I certify that the within instrument is duly entered and registered in the Registry Office for the County of Prince Edward in book K, for the Township of Hallowell at 10 o'clock, 15 minutes of the forenoon of the 20th day of April, A. D., 1883, No. 6093.

(Sg'd)

T. BOG,

Dep. Reg.

I certify that the within instrument is duly entered and registered in the Registry Office for the County of Prince Edward in book G, for the Township of Hillier at 10 o'clock, 16 minutes of the forenoon of the 20th day of April, A. D. 1883, No. 3700.

(Sg'd)

T. BOG,

Dep. Reg.

DEFENDANT'S EXHIBIT "B"

West Lake Four Months Meeting of Women Friends held at Bloomfield 9th of 6th month, 1879. 19260

The time being expired for which the Clerks were appointed and the name of Jane Cronk being proposed for Clerk and Eliza H. Varney for Assistant-Clerk, and being united with they are appointed to serve the Meeting for one year.

The representatives being called are present, except three. Sufficient reasons assigned for their absence.

The queries have all been read in this Meeting and the following is a summary of the answers

which were sent up from our Monthly Meeting which is directed to the Yearly Meeting by our representatives, who are Eliza H. Varney, Eliza Brewer, Mary Jane Hubbs, Mary Ward, Sarah L. Richardson Catharine Saylor, Jane Cronk, Mary E. Jones, Angeline Haight, Phoebe Dorland, Mary Ann Dorland, Jane Bonisteel and Sarah Wiltse. The advices were read.

19270

The joint committee who were appointed to consider the propriety of changing the place of holding the Four Months Meeting in 10th month, report they are united in proposing that it remain under the care of the committee another year.

Our dear friend, Stanley Pemphrey, a minister, attended this Meeting and produced a minute of unity and concurrence from the Monthly Meeting of Worcester and Shropshire, dated 8th of 4th month 1875.

Endorsed by Western Quarterly Meeting held at Worcester, 21st of 4th month, 1875.

Also a minute from the Yearly Meeting of Ministers and Elders held in London the 17th 18th and 19th of 5th month, 1875, liberating him for the service and commending him to the Christian care and sympathy of those amongst whom he may come. This Gospel labor have been encouraging and strengthening to us.

19280

The Clerk is directed to sign a returning minute on his behalf.

The company of his wife, Sarah Pemphrey, is also acceptable.

We conclude in sisterly love and meet next time at Leeds, if permitted.

West Lake Four Months Meeting of Women Friends, held at Farmersville, 10th month, 4th, 1879.

The Assistant Clerk being absent, Margaret Jane Hubbs is appointed to serve for the day.

The representatives being called are present, except three, for whose absence sufficient reasons have been assigned.

The queries have all been read and the answers considered which were sent up from our Monthly Meeting to the six answered at this time, summary whereof is as follows. The advices were read.

19290

The representatives who were appointed to attend the Yearly Meeting report six of their number attended.

The Friends who were appointed as caretakers report they attended.

This Meeting concludes under a sense of Divine love, is to meet next time at Bloomfield if permitted.

West Lake Four Months Meeting of Women Friends held at Bloomfield 7th of 2nd month, 1880.

The representatives being called are present, except six, reasons assigned for the absence of four.

The queries were all read and the answers considered, which were forwarded from our Monthly Meetings, a summary whereof is as follows. The advices were read.

Our beloved Friend, Josiah Dillon, a minister, in the course of a religious visit attended this Meet-

ing and produced a minute of unity and concurrence from Albion Monthly Meeting held at Prarieville, 19300 Iowa. 2nd of 8th month, 1879. Endorsed by Bangor Quarterly Meeting held at Llyrand, Iowa. 23rd of 8th month, 1879. His Gospel ministry has been truly acceptable and encouraging to us.

The Clerk is directed to sign a returning minute on his behalf.

A request was received from Cold Creek Monthly Meeting that the Friends of Thurlow Meeting be allowed to hold a Preparative Meeting, viz., a Meeting for worship and discipline on 6th day proceeding the Monthly Meeting at 11 o'clock, which has been fully united with and they have been tenderly advised to consider the holding of a midweek Meeting, also which we believe would be to their strength.

We conclude under a sense of the Lord's condescending goodness in again permitting an humbling service of the continuance of His love and mercy towards us at this time.

West Lake Four Months Meeting of Women Friends held at Bloomfield 5th of 6th month, 1880. 19310

The time for which the Clerks were appointed being expired the name of Jane Cronk being proposed for Clerk and Eliza H. Varney for Assistant, were united with. They are appointed to the service for the ensuing year.

The representatives being called are present except two, no reasons assigned for their absence.

The queries have been read and the answers considered, which were forwarded from our Monthly Meeting, the substance whereof is as follows; which is directed to the Yearly Meeting by our representatives who are Matilda Branscomb, Susan Dorland, Rachel Cronkhite, Margaret Jane Jones, Sarah Leavens, Matilda Branchard and Elizabeth C. Garrett. The advices were read.

We appoint as caretakers Lucy Cronkhite and Susanna Haight.

The joint committee who were appointed to consider the propriety of changing the place of holding 19320 the Four Months Meeting now held at Leeds report way does open to propose any change at present.

The epistles and minutes have been received and distributed to our subordinate Meetings.

We have been favoured at this time with much salutary counsel on subjects of vital importance to us, which we hope may have due place in our minds. The subject of plainness was feelingly brought to view, departures therefrom so sorrowfully apparent amongst us and desires expressed that we may be found adhering to the advice given in Holy Writ that our adorning be not the outward adorning but that we may be so watchful over our own spirits that we may be found humbly walking in self-denial and the daily Cross, and that we may faithfully put away from us everything that does not belong to us, as the followers of Christ, We were admonished to remember it is our duty to exercise our charity not only to the poor of our own society, but to all as we have opportunity and ability is ours that all 19330 are our brothers and sisters. May we be willing to bear the cross that we may be permitted to wear the crown.

The business of this Meeting being finished we conclude and meet next time at Leeds, if permitted.

West Lake Four Months Meeting of Women Friends held at Farmersville, 10th month, 2nd, 1880.

The Clerk being absent Eliza H. Varney is appointed Clerk for the day and Elizabeth Webb, Assistant.

The representatives being called are present except three, no reason assigned for their absence.

The queries together with the answers sent up at this time have been read and considered, a summary whereof is as follows. The advices were read.

The representatives who were appointed to attend the Yearly Meeting report they attended with 19340 one exception. This dear Friend informed the Meeting no way open for her to attend.

The caretakers who were appointed to attend the Yearly Meeting were in attendance. There are no minutes and epistles present.

This Meeting concludes under a covering of peace and harmony with desires that we may meet at West Lake next time under the same canopy of His love.

West Lake Four Months Meeting of Women Friends held at Bloomfield, 5th of 2nd month, 1880.

The representatives being called are present except five, a sufficient reason assigned for the absence of one; no report from the others.

We appoint Lucy Cronk to act as caretaker during this Meeting.

The queries have been read and the answers considered which were sent up at this time, a summary whereof is as follows. The advices were read.

William S. Barker attended this meeting accompanied by his wife, Mary Barker, and produced a minute of unity from Norwich Monthly Meeting, liberating him for service in this Yearly Meeting.

Joseph Blackedge, a minister, produced a minute of unity from Salem Monthly Meeting, Henry Co., Iowa, dated 5th month, 1st, 1880, endorsed by Salem Quarterly Meeting, dated 5th month, 8th, 1880, accompanied by his wife, Rhoda S. Blackedge, who also produced a minute liberating her to accompany her husband, of same date.

Also Herbert Nicholson, produced a minute from Norwich Monthly Meeting, held 13th of 10th month, 1880, liberating him for service in Canada Yearly Meeting.

Also Isaac Stratton, a minister, produced a minute from East Gorhen Monthly Meeting held 11th 19360 month, 1880, endorsed by Damasc Quarterly Meeting held 11th month, 20th, 1880, accompanied by his wife, Sarah B. Stratton.

Also Lizzie Doyle one of pastoral committee, is in attendances, and has produced a minute of unity from Pickering Monthly Meeting,

Much has been said respecting their services being acceptable. The subject of adopting the New York discipline having come before us, after a time of discussion thereon this Meeting is not united to adopt it.

The Meeting closes ; is to meet next time at Bloomfield, if permitted

Doctrines contrary to our principles and divers inconsistencies in practice having been introduced amongst us by some of our members, it has appeared to us that as a body professing the doctrines of 19370 Friends, it is our duty to uphold the standard of truth in its purity, desiring that we may humbly seek ability of our Heavenly Father to do his will.

To West Lake and Cold Creek Monthly Meeting of Friends, dear Friends. under a feeling of near unity and sympathy we address you. In the year 1878 when Canada Yearly Meeting in a summary and unjust manner deprived us of the fellowship we were entitled to we were placed in a position where we had either to abandon the principles that have been ever held by Friends and which are dear to us, or to repudiate the acts of the Yearly Meeting. Therefore we have endeavored to keep up our Meeting as near as circumstances would permit in which we have been comforted. By the acts of the Yearly Meeting in the year of 1880, you were placed in a similar tried position, consequently you and us occupy common grounds in disregarding the acts of those who have left the truth as held by Friends 19380 and who have usurped the control of Canada Yearly Meeting. We extend to you the right hand of fellowship in your concern to uphold and perpetuate Meetings on a right basis and we desire that your hands may be strengthened in the reviving every grade of Meetings in which we offer you our cordial co-operation. We wait your reply in the wisdom of truth you may deem best in order that we may have a united understanding as to the course to be pursued.

Signed on behalf of Norwich Monthly Meeting of Friends held 5th month, 12th, 1881.

JOSHUA WARING,
MARY STEVENS,

Clerk.

Jesse Stover, Correspondent.

19390

The address was received in a spirit of brotherly love, cordial sympathy and unity were expressed with Friends of that Meeting and the clerks were directed to give them the information contained in the following minute and inform them, the company of any of their members will be acceptable to us after a free expression of sentiment.

Friends being in joint session it was concluded to hold our ensuing Four Months Meeting on the same day as usual, at four o'clock, p. m., ; the Meeting of ministers and elders on 6th day previous at 3 o'clock, p. m., and the public Meeting on first day at 2 o'clock, p. m.

The foregoing was copied from the Monthly Meeting records of Women Friends of 5th month, 18th 1881.

West Lake Four Months Meeting of Women Friends held at Bloomfield 4th of 6th month, 1881. 19400

The representatives being called are present.

The time being expired for which the clerks were appointed the name of Jane Cronk being pro-

posed for Clerk and Eliza H. Varney for Assistant-Clerk and being united with they are reappointed to the service for one year.

This Meeting has united with the judgment of the Men's Meeting to appoint representatives to attend our Yearly Meeting as way opens for it, at the usual time and place.

The queries have been read, the answers considered which were forwarded from our Monthly Meetings as they are in substance as follows, and are directed to our Yearly Meeting by our representatives, who are Jane Bonisteel, Mary Bowerman, Margaret Jane Jones, Mary Ann Valentine, Eliza H Varney, Jane Cronk, Susan Dorland, Hannah Garrett, Phoebe Dorland, Matilda Branscomb, Margaret Ward and Sarah Hodgins. 19410

The advices were read.

Under a precious sense of the Lord's goodness to us in again permitting us to partake of the treasures of Heavenly Love which flows to refresh the whole Heritage of God, this Meeting concludes.

An address, issued by the Yearly Meeting to Friends wherever situated :—

DEAR FRIENDS,—Being favored once more to meet in this our annual gathering and realizing in an especial manner an overshadowing of Heavenly Love, a living sympathy with you in all your varied trials and circumstances hath arisen in our hearts and we have felt drawn to salute you in Gospel love desiring that you may be preserved in all your ways to the honor and glory of Him who leadeth His people like a flock. 19420

In these times of deep provings and trials wherein the faithful few are as when they have gathered the summer fruits and the grape gleanings of the vintage we realize the force of the words, "as in water face answereth to face, so the heart of man to man. We feel to testify to the goodness of our gracious Lord in that he hath not been unmindful of us in our trials but hath in His adorable mercy been pleased to strengthen us so that we were not utterly cast down and in His own time to open a way whereby we might again mingle together in sweet fellowship.

We have been comforted therein and have felt encouraged and our hands to be strengthened to rise and rebuild upon the ancient foundation the walls of our Zion and the language hath arisen, Break forth into joy, sing together ye waste places of Jerusalem for the Lord hath comforted His people, He hath redeemed Jerusalem. 19430

As we then, dear Friends, hope for and desire the advancement of our Redeemer's Kingdom in the earth, let us, as individuals, be livingly concerned so to walk in the fear of the Lord in true humility of soul, that others beholding our good works may be led to glorify God in the day of visitation. Let us not sleep as do others. but let us watch and be sober lest in an unguarded moment an unwearied enemy may, by his transformation, beguile us from the path of safety. Oh, the great need of the observance of the command of our blessed Saviour, "What I say unto one I say unto all, watch and pray lest ye enter into temptation." May we submit ourselves to the powers of the Lord, that He may work in and through us of His own good pleasure, both to will and to do that so the Church may be edified and His name glorified, who alone is worthy of all praise.

Signed on behalf and by direction of Canada Yearly Meeting of Friends held at Pickering, Ontario by adjournment from the 24th to the 28th of 6th month.

19440

Sgd. { ADAM SPENCER,
ELIZA H. VARNEY, } Clerks.

West Lake Four Months Meeting of Women Friends held at Farmersville 24th of 9th month, 1881.

The Assistant-Clerk being absent Margaret Jane Jones is appointed to serve for the day.

The representatives being called seven are in attendance; a reason assigned for the absence of one.

The representatives who were appointed to attend the Yearly Meeting attended except four, sufficient reasons were assigned for the absence of three.

The queries have been read and the answers considered which were sent up from our Monthly Meeting, they are in substance as follows. The advices were read.

Under a deep sense of the Lord's goodness towards us in again permitting us to meet and experience the overshadowing of His love drawing us we trust nearer to Him and also to each other this Meeting concludes, is to meet next time at Bloomfield, if permitted. 19450

The minutes of the Yearly Meeting and the address of Friends wherever situated have been received

West Lake Four Months Meeting of Women Friends held Bloomfield 28th of 1st month, 1882.

The representatives being called are present except two, a sufficient reason assigned for the absence of one. No report from the other.

The queries have been read and the answers considered which were sent up from our Monthly Meeting, they are in substance as follows, The advices were read.

Our beloved Friend, Lydia Margaret Haight, laid before this Meeting a prospect which has for a length of time impressed her mind and latterly with increased weight, of visiting in Gospel love the Quarterly Meeting of Scipio and the Meetings constituting it; also to appoint some Meeting and visit some families as the Lord may direct. After a time of solid deliberation much unity and sympathy has been expressed with her in the concern. She has produced a minute of unity from Cold Creek Monthly Meeting, Men's Meeting also uniting; she is left at liberty to pursue her prospect as way may open therefor. 19460

Our beloved Friend, Jane Bonisteel, expressed in this Meeting a belief that it was required of her to be willing to accompany our Friend, Lydia M. Haight in her proposed religious visit; much unity has been expressed encouraging her to faithfulness therein.

The clerk is directed to sign the endorsement of their minutes.

The business being concluded this Meeting concludes in deep solemnity and we trust with heart-felt thankfulness for the Lord's favors to us in uniting and cementing us as we believe in his love. To meet next time at Bloomfield, if permitted. 19470

West Lake Four Months Meeting of Women Friends held at Bloomfield 5th month, 24th, 1882.

The representatives being called are present except two, for whose absence sufficient reasons have been assigned.

The time being expired for which the clerk and assistant were appointed, their names being again proposed and united with they are appointed to serve for the ensuing year.

The queries have been read and the answers considered which were sent up from our Monthly Meetings; they are in substance as follows, and are directed to the Yearly Meeting by our representatives who are Margaret Jane Jones, Matilda Branscombe, Margaret Ward, Mary E. Jones, Phoebe Dor- 19480 and, Jane Mullett, Hannah Garret and Mintche Haight.

The Friends appointed as caretakers during the sitting of the Yearly Meeting are Elizabeth Newton, Elizabeth Hutchinson and Rhoda Garrett.

The advices were read.

Our beloved Friend, Lydia Margaret Haight, has at time returned, the minute granted to her at our last Meeting and has expressed her heart-felt thankfulness to our Heavenly Father who she believed put them forth that He was with them and made way for them continually to their humbling admiration and gave her great peace; she has produced satisfactory returning minutes, which have been read.

Our dear Friend, Jane Bonisteel, has also expressed her thankfulness for the favours they received at their Heavenly Father's hand, the accounts they have given of the blessings of their journey is a 19490 source of rejoicing to us at this time many of whom we believe borne them on our hearts.

The Friends who were appointed to see that they were provided for the journey report their appointment answered.

We conclude under a covering of much Heavenly love to meet next time at Farmersville, if permitted,

West Lake Four Months Meeting of Women Friends held at Farmersville 30th of 9th month, 1882.

The clerks being absent Mary E. Jones is appointed Clerk for the day and Margaret Ward Assistant

The representatives being called are present except four, sufficient reasons assigned for the absence of three.

The representatives who were appointed to attend the Yearly Meeting attended except one, for 19500 whom a sufficient reason was given.

The queries have been read and their answers considered which were sent up from our Monthly Meetings, and are in substance as follows. The advices were read.

No further business appearing under a sense of the Lord's goodness and favour at this time we conclude to meet next time at Bloomfield, if permitted.

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West Lake Four Months Meeting of Women Friends held at Bloomfield 27th of 1st month, 1883.

Friends meet together at this time in a Quarterly Meeting capacity under most trying circumstances being shut out of our own Meeting house by those with whom we were wont to mingle in days that are past, many of them not only brought near to us in spirit; but it might be said of some, "they are bone of my bone that hath done this," and the prayer of our hearts is. "Father forgive them, they know not what they do," Consequently we have to meet in the town hall in Bloomfield, and though it is in deep bowedness of spirit and our mouths, as it were, laid in the dust, yet the Lord has been pleased to manifest Himself in our midst by the outpouring of His Holy spirit upon us so that out of the mouths of babes and sucklings He hath perfected praise, and though we feel that the beauty of Israel hath been slain in our high places yet we do feel God hath not forsaken Israel though what is permitted we know not now, but we shall know hereafter, and unto Thy name, Oh, God, would we ascribe all the praise for the favors received at this time, unto whom all praise is forever due, 19510

The representatives being called are present except two, for whose absence sufficient reasons were assigned.

The queries have been read and the answers to them which were sent from our Monthly Meeting 19520 considered and are in substance as follows. The advices were read.

No report has been presented from Kingston Monthly Meeting at this time occasioned by the few Friends who reside there being prevented from holding their Meeting on account of the severity of the weather and the bad state of the roads.

And now under a renewed sence of our Heavenly Father's love we conclude at this time, hoping to meet as usual next time at Bloomfield, if permitted.

Truly this has been a day long to be remembered by us with thankfulness.

1883 West Lake Four Months Meeting of Women Friends held at Bloomfield, Ont., 2nd, 6th
6th mo. month, 1883.

The representatives being called are present except two, satisfactory reasons assigned for 19530 their absence.

The representatives for West Lake were Matilda Branscombe, Jane Cronk. Elizabeth Hutchin-
Members of repre- son, Elizabeth White and Martha Cronk. For Leeds—Anne Derbyshire, Alzina Robinson and
sentat'v's Mary E. Jones.

For Cold Creek—Phoebe Dorland. Deborah Robinson, Anna Crawford and Lavina Merrick.

No representatives from Kingston at this time, a reasonable excuse given.

The time having expired for which the clerk and assistant were appointed and the clerk wishing to be released, Matilda Branscombe, on behalf of the representatives report they are united in bringing forward the name of Eliza H. Varney for clerk and Margaret Jane Jones for
Clerks appoint'd assistant, which being untted with they are appointed to that service for one year. We feel 19540

parting with Jane Cronk from the clerk's table, she having served this Meeting many years faithfully and laboured with us unitedly, stood firmly and bore a good testimony for truth, take in times of close trial and deep baptism when this society was being closely tried and proved and are still being sifted as from sieve to sieve.

1883 6th mo. Repre- sen'tives to Yearly Meeting The queries have all been read with their answers from the Four Monthly Meeting report- ing to this Meeting which have been duly considered a summary whereof is as follows, which we forward to the ensuing Yearly Meeting by our representatives, who are Matilda Brascombe, Margaret Jane Jones, Jane Cronk, Mincha Haight, Mary Robinson, Eva Branscombe, Susan Dorland, Phoebe Jane Seavens, Abigail Garrett, Anna Crawford, Margaret Ward, Hannah Garrett and Mary E. Jones are appointed to that service and report to our next Meeting. 19550

The advices were also read.

1883 6th mo. 6th month, 2nd, 1883. When we met to-day in a Quarterly Meeting capacity we found the Friends who have gone out from us occupying the Women's room to the exclusion of most of ~~one~~ *only* Women Friends and the shutters closed so as to shut off our Men Friends. It was a time of deep reading but Friends were favored to hear all patiently and quietly and truth reigned in our Meeting. The Women Friends had to wait for their Meeting to close before we could proceed to our business. May the Lord hear our cry and answer our petition, send help from His sanctuary and strengthen us out of Zion.

This Meeting adjourns to meet in Farmersville in the 9th month, if permitted.

Sgd. ELIZA H. VARNEY, 19560

Clerk.

Omitted in its p'pr place which is marked by a star We also appoint Abigail Garrett, Rhoda Garret and Sarah Garrett as caretakers at the ensuing year.

Min'te in reference to court. This book being away in the High Court of Justice, Chancery Division, from the 3rd of 10 month until after Judge Proudfoot's decision in 1884, so that the proceedings of the two last Quarterly Meetings have not been entered until the present time, 3rd month, 1884.

1883 9th mo. 29th. 1883. West Lake Four Months Meeting of Women Friends held at Farmersville 9th month, 29th, 1883.

The Assistant Clerk not being present Jane Bonisteel is appointed for the day.

The representatives being called are present except four, a satisfactory reason assigned for the absence of one. 19570

The queries with the six answers have been read at this time, a summary whereof is as follows.

West Lake Four Months Meeting of Women Friends.

The advices have also been read.

The Friends appointed to attend the Yearly Meeting as representatives with the business from this report they attended except three a satisfactory reason given for their absence.

The minutes of the Yearly Meeting of Women Friends have been appointed for distribution in the different Monthly Meetings.

The business of this Meeting being gone through with this Meeting concludes under a humbling sense of the Lord's goodness and mercy towards us, and unto Him would we ascribe 19580 all praise for the favors we have received this day.

The minutes and epistles have been received.

(Sg'd)

ELIZA H. VARNEY,

Clerk.

Record of West Lake Four Months Meeting of Women Friends held at Bloomfield 1st month, 26th, 1884.

The representatives being called are present except three, satisfactory reasons assigned for their absence.

No report from Kingston Monthly Meeting owing to impassible roads and severity of the weather. 19590

The representatives from West Lake at this time are Elizabeth Hutchinson, Jane Cronk, Rhoda Garrett, Sarah Garrett and Rebusa White.

The Friends appointed as representatives from Leeds Monthly Meeting of Women Friends are Alzina Robinson and Sarah Wiltsie,

From Cold Creek Monthly Meeting they were Lavina Merrill and Jane Bonisteel.

The queries with the six usually answered at this time have been read and considered a summary whereof is as follows. The advices were also read.

1884
1stmo 26

Record of West Lake Four Months Meeting of Women Friends.

The business of this Meeting has been accomplished in harmony and love. We conclude to meet here next time if permitted earnestly desiring to acknowledge the goodness and mercy of 19600 our God for unto Him would we ascribe all praise.

(Sg'd)

ELIZA H. VARNEY,

Clerk,

1884
5thmo 31

Record of West Lake Four Months Meeting of Women Friends.

West Lake Four Months Meeting of Women Friends held at Bloomfield 5th month, 31st, 1884.

This was the first Quarterly Meeting held in Friends Meeting house at Bloomfield after the decision of Judge Proudfoot on the trial between Dorland and Jones.

The representatives being called are present except four, a reason assigned for the absence of two.

Representatives They were from West Lake—Rhoda Garrett, Mary Ann Valentine, Mincha Haight, Eva Branscombe and Abigail Garrett.

For Leeds—Catharine Baker, Anna Wiltsie and Mary E. Jones.

19610

For Kingston—Elizabeth J. Ferris and Margaret Ward.

For Cold Creek—Levina Merrill, Lydia Yerex and Sophia Vanvakingburgh,

Appoint- The time for which the clerks were appointed having expired Mary Ann Valentine, on behalf ment of of the representatives report they have conferred together on the subject of Clerks and are united Clerks, in proposing the name of Eliza H. Yarney for Clerk and Margaret Jane Jones for Assistant which being separately considered are united with and are appointed to that service for one year.

Representatives The queries and answers have been read in this Meeting a summary whereof is as follows, to the which we forward to the ensuing Yearly Meeting by our representatives who are Margaret Ward Yearly Lydia Hubbs, Susan Dorland, Jane Cronk, Elizabeth Haight, Eva Branscomb, Matilda Branscomb, Mary E. Jones, Rhoda Garrett and Minche Haight and report to our next Meeting.

19620

1884
mo 31st

Record of West Lake Four Months Meeting of Women Friends.

Care.
takers

We appoint Elizabeth Hutchinson and Abigail Garratt as caretakers at the ensuing Yearly Meeting.

Wom'n's
min'tes &
epistles

The Women's printed minutes and epistles have been received and read in all the Monthly Meetings except one where owing to a great pressure of business only the four epistles addressed to us were read.

Under a humbling sense of the Lord's goodness and the favour received this day from the hand of our Heavenly Father this Meeting concludes to meet next time at Farmersville, if permitted.

(Sg'd)

ELIZA H. VARNEY,

19630

Clerk.

DEFENDANT'S EXHIBIT "C"

Minutes of West Lake Monthly Meeting of Friends commencing 2nd month, 17th 1881.

At West Lake Monthly Meeting of Friends held at Bloomfield 2nd month; 17th, 1881, Levi Varney was appointed clerk and Levi V. Bowerman assistant clerk for one year.

The representatives being called were present except two,

1874

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1874

It was concluded best to hold our mid-week Meetings in future, until otherwise directed, on fourth days at 10 o'clock in the forenoon, and that the Monthly Meeting be held the fourth day, before the third. fifth day in each month.

Amos G. Bowerman, Gilbert Jones, John Vermilyea and William Yerex were appointed to bring to 19640 our next Monthly Meeting the names of Friends to serve as overseers.

The clerk was directed to form a minute and produce it at next Meeting, stating some of our reasons for meeting as we have, and for changing the time of holding our Meetings.

Levi Varney was appointed Correspondent.

Our business being accomplished the Meeting concludes.

Sgd.

LEVI VARNEY,

Clerk.

West Lake Monthly Meeting of Friends held at Bloomfield, 3rd month, 16th, 1881.

The representatives being called were present.

Our beloved Friend, Adam Spencer, acceptably attended this Meeting with a certificate of unity 19650 with him in his concern from Norwich Monthly Meeting of Friends, held 1st month, 13th, 1881.

The committee to bring forward the names of Friends to serve as overseers proposed the following Amos G. Bowerman, Levi V. Bowerman, Samuel Bonisteel and Reuben Vermilyea, whose names being separately considered were approved and they were appointed to that service one year.

The clerk produced a minute as directed, which, after being read, was approved, and he was directed to enter it in our minutes. It is as follows :—

Doctrines and practices contrary to those of sound Friends from the rise of the Society to the present time having disseminated among us by those claiming to be Friends, and those persons having assumed the control of our Meetings, both Yearly and Subordinate one, so that the voice of our older Friends, fathers and mothers in the Church, is as not heard, or at least, had no influence, and their departures 19660 continuing to diverge more and more from the truth as always professed by us, we feel it to be our solemn duty to manifest our disunity with their proceedings by holding our Meetings separately from theirs. We have no enmity towards them, but on the contrary, we earnestly desire that the Lord in His abundant mercy may enable them to see their errors and cause them to follow the true Light that lighteth every man that cometh into the world.

Desiring to live in peace with all men and to avoid contention, we concluded to change the time of holding our Meetings on first days to 2 o'clock in the afternoon, and to hold our mid-week Meetings on fourth days at the usual hour, instead of 5th days as heretofore.

Levi V. Bowerman and Wm. Valentine were appointed to settle with the treasurer and to report.

John Vermilyea, William Valentine, Levi Varney and William Yerex were appointed in conjunction 19670 with a committee of Women Friends to prepare a testimony setting forth some of the causes which

have led to a separation in this Meeting and if way opens for it to correspond with Friends in other parts of the Yearly Meeting relative to holding our Meetings and to report next month

Our business being accomplished for this time the meeting concluded.

(Sg'd)

LEVI VARNEY,

Clerk,

At West Lake Monthly Meeting of Friends held at Bloomfield 4th month, 20th, 1881.

The representatives being called were present.

The committee appointed to settle with the treasurer not being ready to report were continued.

Women Friends informed us that they were united in appointing a committee in conjunction with 19680 one appointed by this Meeting last month.

No further business appearing the Meeting concluded.

(Sg'd)

LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held at Bloomfield 5th month, 20th, 1881.

The representatives being called were present.

The queries were all read with answers thereto from the Preparative Meeting which are as follows. The advices were also read.

It is to be understood that the foregoing answers apply to our present organization only. having no reference to those who do not meet with us,

19690

The committee appointed to settle with the treasurer report their service performed and that they found \$9.95 in his hands.

Amos G. Bowerman, David Branscombe and Gilbert Jones were appointed to attend the ensuing Four Months Meeting with the business from this and to report.

The committee appointed in 3rd month to prepare a testimony in relation to the separation in our Meeting and if way opened for it, to correspondent with Friends in other parts of the Yearly Meeting, not being ready to report were continued.

Bloomfield Preparative Meeting forwarded to this a request to be joined in membership with us, signed William Branscomb and Matilda Branscomb for their son, Marshall S. Branscomb, a minor. This Meeting was united in granting the request.

19700

Our beloved Friend, Eliza H. Varney a minister in unity with us laid before this Meeting a prospect which she had of visiting in the love of the Gospel, a few Meetings within the limits of Butternut Quarter in New York Yearly Meeting and as truth opens the way, to appoint some Meetings. Full

unity and sympathy with her concern were expressed and the clerks were directed to furnish her with a copy of this minute and to sign it on our behalf.

In joint session the following communication from Norwich Monthly Meeting was read, viz:—"To West Lake and Cold Creek Monthly Meetings of Friends, Dear Friends.—Under a feeling of near sympathy we address you. In 1878, when Canada Yearly Meeting in summary and unjust manner deprived us of the fellowship we were entitled to, we were placed in a position wherein we had either to abandon the principles that have ever been held by Friends and which are dear to us, or to repudiate 19710 the acts of the Yearly Meeting. Therefore we have endeavored to keep up and keep to our Meetings as near as the circumstances would permit in which we have been comforted,

By the action of the Yearly Meeting in 1880, you were placed in a similar tried position, consequently you and we occupy common ground in disregarding the acts of those who have left the truth as held by Friends, and who have usurped the control of Canada Yearly Meeting. We extend to you the right hand of fellowship in your concern to revive and perpetuate Meetings on a right basis, and we desire that your hands may be strengthened in the work of reviving every grade of Meetings in which we offer you a cordial co-operation.

Please reply as in the wisdom of truth you may deem best, in order that we may have a united understanding as to the course to be pursued.

19720

Signed on behalf of Norwich Monthly Meeting of Friends held 5th month, 12th, 1881.

JOHN WARING, { Clerks.
MARY STEVENS, {

Jesse Stover, correspondent.

The address was received in a spirit of brotherly love. Cordial sympathy and unity were expressed with Friends of that Meeting and the clerks were directed to give them the information contained in the following minute and to inform them that the company of any of their members will be acceptable to us at our ensuing Four Months Meeting.

After a free expression of sentiment it was concluded Friends being still in joint session to hold our ensuing Four Months Meeting on the same day as usual at four o'clock, p. m. Meeting of ministers 19730 and elders on sixth day previous at 3 o'clock p. m., and the public meeting at the usual time, 2 p. m. on first day following,

No further business appearing the meeting concluded.

(Sg'd)

LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held at Bloomfield 6th month; 15th, 1881.

The representatives being called were present,

The representatives to the Four Months Meeting report they all attended.

The committee appointed in 3rd month to correspond with Friends in other parts of the Yearly Meeting, if way opened for it, relative to holding our Meetings, reported that they had written to 19740 Friends in all the other Monthly Meetings informing them of our proposition to hold a Yearly Meeting at the usual time and place, and that some letter replies had been received, all uniting with us in the prospect.

Our beloved Friend, Eliza H. Varney, returned the minute granted her last month and informed the Meeting that she had performed the service which she had in prospect, to the peace of her own mind.

Our beloved Friend, Eliza H. Varney, a minister in unity with us, expressed in this Meeting a concern which had for some time rested with weight upon her mind, to visit in Gospel love, some of the Meetings in this Quarterly Meeting and to appoint some Meetings among Friends and others as truth may open the way. After a time of deliberation thereon full unity was expressed with her concern and she was liberated to attend to her prospect as best wisdom may direct. 19750

The clerk was instructed to furnish her with a copy of the foregoing minute and to sign it on our behalf.

Our esteemed Friend, Matilda Branscomb, expressed a willingness to accompany Eliza H. Varney in a part, if not all, of the proposed visits, with which the Meeting fully united.

The business being accomplished the Meeting concludes.

LEVI VARNFY,

Clerk.

At West Lake Monthly Meeting of Friends held at Bloomfield 7th month, 20th 1881.

The representatives being called were present.

No business appearing to require attention the meeting concluded. 19760

(Sg'd)

LEVI VARNEY,

Clerk,

At West Lake Monthly Meeting of Friends held 8th month, 17th, 1881.

The representatives being called were present.

The minutes of the Yearly Meeting were received also several copies of a minute issued by the Yearly Meeting and addressed "To Friends wherever situated." Both documents were distributed.

No other business appearing the Meeting concluded.

(Sg'd)

LEVI VARNEY,

Clerk. 19770

At West Lake Monthly Meeting of Friends held at Bloomfield 9th month, 14th, 1881.

The representatives being called were present,

The queries were all read with answers to the usual six as received from the Preparative Meeting. The advices were also read.

Gilbert Jones. Allan M. Dorland and Johnson Brower were appointed to attend the Four Months Meeting with the business from this and to report.

Amos G. Bowerman and Wm. Valentine were appointed overseers of the poor,

Our business being accomplished the Meeting concludes.

Sgd.

LEVI VARNEY,

Clerk. 19780

At West Lake Monthly Meeting of Friends held at Bloomfield, 10th month, 19th, 1881.

The representatives being called were present.

Two of the representatives to the Four Months Meeting reported they attended.

No further business appearing the Meeting concluded.

Sgd.

LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held 11th month, 16th 1881.

The representatives being called were present.

Our beloved Friend, Eliza H. Varney returned the minute granted her in 6th month last with information that she had accomplished the service which she had in view as far as way opened for it, to the 19790 peace of her mind which was satisfactory to the Meeting.

Our business being accomplished the Meeting concluded.

Sgd.

LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held 12th month, 14th, 1881.

The representatives being called were present.

No business appearing the Meeting concluded.

LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held 1st month, 18th, 1882,

19800

The representatives being called were present.

The queries were all read with answers to the usual six, The advices were also read.

Amos G. Bowerman, John Garratt and Gilbert Jones were appointed to attend the ensuing Four Months Meeting with the business from this and report.

The following proposition from the Meeting of Ministers and Elders was received, viz :—

West Lake Preparative Meeting of Ministers and Elders unites in proposing to the Monthly Meeting for its consideration the propriety of acknowledging Matilda Branscombe, a minister, the Four Months Meeting of Ministers and Elders having united therewith, Judah B. Hutchinson and William Valentine were appointed in conjunction with a committee of Women Friends to hear and consider objections, if any, and to report.

19810

Our business being accomplished the meeting concluded.

(Sg'd)

LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held 2nd month; 15th, 1882.

The representatives being called were present,

The time for which the clerks were appointed having expired Levi Varney was appointed clerk. and Levi V. Bowerman assistant clerk for one year,

The representatives to the Four Months Meeting reported they attended.

The committee to hear and consider objections, if any, to acknowledging Matilda Branscombe a minister, not being ready to report, were continued.

19820

Levi Bowerman and John Garratt were appointed to collect sixteen dollars and seventy-six cents (\$16.76) for the use of the Yearly Meeting.

No further business appearing the Meeting concluded.

(Sg'd)

LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held 3rd month, 15th, 1882.

The representatives being called were present.

The committee to hear and consider objections, if any, against acknowledging Matilda Branscombe as a minister, made the following report, viz :

19830

To West Lake Monthly Meeting of Friends :—

Dear Friends.—We, your committee, appointed to hear and consider objections to the acknowledging of Matilda Branscombe as a minister, report that we are not aware of any existing in the minds of Friends, none having been made to us.

On behalf of the Committee,

Signed { WILLIAM VALENTINE,
MARGARET J. JONES.

The committee to collect the money for the Yearly Meetings use report attention. They were continued.

Levi V. Bowerman was appointed to have the oversight of funerals and burials, and to see that 19840 they are conducted according to the order of Friends.

Our business for the time being accomplished the Meeting concludes.

Sgd, LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held 4th month, 19th 1882.

The representatives being called were present except one, and a satisfactory reason was assigned for his absence.

The clerk being absent Allen M. Dorland was appointed for the day.

The committee to collect the money called for by the Yearly Meeting reported it not all raised. They were continued.

19850

Our business at this time being accomplished the meeting concluded.

(copied by) LEVI VARNEY,

Clerk,

At West Lake Monthly Meeting of Friends held 5th month, 17th, 1882,

The representaives being called were present.

The queries were all read with answers thereto which were as follows. The advices were also read.

Allen M. Dorland, Amos G. Bowerman. John Garratt and Judah B. Hutchinson were appointed to attend the ensuing Four Months Meeting as our representatives with the business from this and to report.

The committee appointed to collect the money for the Yearly Meetings use reported it all raised and paid.

19860

No further business appearing the Meeting concluded,

(Sg'd)

LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held 6th month, 14th, 1882.

The representatives being called were present.

The representatives to the Four Months Meeting reported they attended.

Gilbert Jones and Allen M. Dorland were appointed to bring to next Meeting the names of suitable Friends for overseers,

No further business appearing the Meeting concluded.

(Sg'd)

LEVI VARNEY,

19870

Clerk.

At West Lake Monthly Meeting of Friends held 7th month, 19th, 1882.

One of the representatives attended, the other was absent on account of ill health.

The clerk being absent Levi V. Bowerman was appointed for the day.

The committee to bring forward the names of suitable Friends to serve as overseers not being ready to report were continued.

The Meeting then concluded.

Copied by

LEVI VARNEY,

Clerk. 19880

At West Lake Monthly Meeting of Friends held 8th month, 1882.

The representatives being called were present.

The committee to bring forward the names of suitable Friends to serve as overseers proposed Amos G. Gowerman and Levi V. Bowerman, who, being separately considered were approved and they were appointed to that station for one year.

Our Friends, John G. Sargent and wife, from Fritchly, England, in the course of a religious visit, he being a minister, attended this Meeting; their company and Gospel labors were acceptable to us.

Our Friend, Rowland Hazard, from Bucks Co., Pennsylvania, also acceptably attended this Meeting as companions to the above named Friends.

The printed minutes of our sole Yearly Meeting were received.

19890

Our beloved Friend, Eliza H. Varney, a minister in unity with us, laid before this Meeting a prospect which had rested upon her mind for a length of time and latterly with increased weight, of visiting in Gospel love Western Yearly Meeting, smaller body and some of the Meetings belonging thereto, also of appointing some Meetings, also of appointing some Meeting, going and returning within the limits of Canada Yearly Meeting, and of some service within the limits from our Four Months

Meeting, as the Lord may open the way.

After a time of weighty deliberation thereon, her prospect was fully united with and she was left at liberty to attend thereto, as best wisdom may direct.

The clerks were instructed to furnish her with a copy of the foregoing minute.

Our business being accomplished the Meeting concluded.

19900

Sgd. LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held 9th month, 20th 1882.

The representatives being called were present.

The queries were all read and answers to the usual six, which were forwarded to the FourMonths Meeting. The advices were also read.

Allen M. Dorland, Wm. Branscombe, Levi V. Bowerman and Johnson Brewer were appointed to attend the Four Months Meeting as our representatives with the business from this and to report,

The following minute was received from the select Preparative Meeting, viz:—The Preparative Meeting of Ministers and Elders held 9th month, 19th, 1882, were united in proposing to the Monthly Meeting for its consideration the propriety of appointing Judah B. Hutchinson and Amos G. Bowerman to the station of Elders. (Sg'd) A. M. DORLAND, Clerk.

After deliberation upon the foregoing proposition it was concluded best to appoint a committee to hear and consider objections, if any, and Levi Bowerman and John Garratt were appointed to the service and to report.

No further business appearing the Meeting concluded.

(Sg'd) LEVI VARNEY,

Clerk. 19920

At West Lake Monthly Meeting of Friends held 10th month, 18th, 1882.

The representatives being called were present.

The representatives to the Four Months Meeting reported that three of them attended and a satisfactory reason was given for the non-attendance of the other,

They produced a minute directing the Subordinate Meetings to raise their proportion of \$75, for the Yearly Meeting's use.

The Preparative Meeting was directed to raise its proportion of the above sum and pay to the clerk of this Meeting.

The committee to hear and consider objections, if any appear, to the appointment of Judah B. Hutchinson and Amos G. Bowerman to the station of Elders, reported no objection appeared, but one 19930 of the committee proposed that the consideration of the subject be referred one month, which was agreed to.

No further business appearing the Meeting concluded.

Sgd.

LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held 11th month, 15th, 1882.

The representatives being called were present,

No report from the Preparative Meeting relative to the money for the Yearly Meeting's use.

The case deferred from last month was considered and no objections being made the Friends named were appointed to the station of el'ers, having the unity of Women Friends therein. 19940

Our Friend, Eliza H. Varney, returned the minute granted to her in 8th month, but with the information that she had attended to the service for which she was liberated, as far as way opened for it, to the peace of her mind.

She presented a returning minute from Western Yearly Meeting which was satisfactory to us,

Judah B. Hutchinson and wife also presented a satisfactory returning minute from the same Yearly Meeting.

Our beloved Friend, Eliza H. Varney laid before this Meeting a prospect which had for a long time rested upon her mind, of visiting socially and religiously Friends in some parts of New England, and requested our certificate of unity.

After a deliberation thereon her prospect was fully united with, and she was liberated to at- 19950 tend whatever religious service the Lord may call her to perform during the visit within the limits of that Yearly Meeting.

She was also liberated to attend some Meetings and to appoint some as way may open for it, within the limits of Canada Yearly Meeting, she being a minister in unity with us. The clerk was directed to furnish her with a copy of the foregoing minute and to sign it on behalf of this Meeting.

Our business being accomplished for this time the meeting concluded.

Sgd.

LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held at Bloomfield 12th month, 20th, 1882,

The representatives being called were present.

19960

No report from the Preparative Meeting relative to the money for the Yearly Meeting use.

The following Friends were appointed a committee to have the oversight of our Meeting houses, and to take legal advice in relation to our right of possession if they deem it necessary, viz:—Gilbert Jones, David D. Hubbs, William Valentine and Allen M. Dorland.

Our beloved Friend, Eliza H. Varney made a verbal report of her recent visit to parts of New England Yearly Meeting, which was satisfactory and encouraging,

No further business appearing the Meeting concluded,

(Sg'd)

LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held 1st month; 17th, 1883.

19970

The representatives being called were present,

The queries were all read and answers to the usual six, which are as follows. The advices were also read.

William Garratt, Judah B. Hutchinson, Adam Henry Garratt and Levi V. Bowerman were appointed to attend the Four Months Meeting with the business from this and to report.

The Preparative Meeting reported steps taken to raise the money for the Yearly Meeting's use,

The committee appointed to have the oversight of our Meeting houses reported they had taken legal advice and that it was necessary to proceed to raise money to defray the expense of the law suit already commenced.

After deliberation thereon it was concluded to appoint a committee to raise money and to pay it as it is needed, said committee to have a treasurer, who shall keep an accurate account of all receipts and expenditures and who shall report when called upon by the committee to do so. An order signed by any two of the committee shall be sufficient to authorize said treasurer to pay any money needed.

Allen M. Dorland, John Garratt, Amos G. Gowerman, Levi V. Bowerman, Gilbert Jones, Adam H. Garratt and William Valentine were appointed to act as above directed.

Amos G. Bowerman and John Garratt were appointed to bring to next Meeting the names of suitable Friends to serve this Meeting as clerk and assistant the ensuing year.

No further business appearing the Meeting concluded.

(Sg'd)

LEVI VARNEY,

Clerk. 19990

At West Lake Monthly Meeting of Friends held 2nd month, 14th, 1883.

The representatives being called were present.

The committee appointed to bring to this Meeting the names of suitable Friends to serve as clerk and assistant proposed Levi Varney for clerk and Levi V. Bowerman for assistant, whose names being separately considered were united with and they were appointed to those stations for one year.

The representatives to the Four Months Meeting reported they all attended but one, and he gave a satisfactory reason for not attending.

No further business appearing the Meeting concluded.

(Sg'd) LEVI VARNEY,

Clerk. 20000

At West Lake Monthly Meeting of Friends held 3rd month, 14th, 1883.

A few Friends met and in consequence of the funeral of our Friend, Edward B. Cronk at the same time, it was thought best to adjourn until fourth day next, the 21st inst., at the usual time and place, Women Friends concurring.

Sgd, LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held by adjournment 3rd month, 21st, 1883.

The representaives being called were present.

No business appearing to require attention at this time the Meeting concluded.

(Sg'd) LEVI VARNEY,

20010

Clerk.

At West Lake Monthly Meeting of Friends held 4th month, 19th. 1883.

The representatives being called were present.

Wellington Preparative Meeting forwarded to this Meeting a request to be joined in membership with Friends, signed, R. G. Hubbs.

Allen M. Dorland and Judah B. Hutchinson were appointed to visit him on account thereof. to see if he is convinced of our principles and if his life and conversation are orderly, and to report.

Friends then proceeded to act upon the following notice :—

Notice is hereby given that pursuant to the Revised Statutes of Ontario, Chapter 216, a public Meeting will be held at the Friends Meeting House in Bloomfield, County of Prince Edward, on fifth 20020 day, the 19th day of the fourth month, 1883, at the hour of one o'clock in the afternoon to appoint trustees of any and all lands in the village of Bloomfield to which the West Lake Monthly Meeting is

entitled and to determine in what manner the successors of such trustees shall be appointed out of the members of said West Lake Monthly Meeting of Friends.

Dated the 16th day of 4th month, 1883.

Signed

{ LEVI V. BOWERMAN,
 { LEVI VARNEY,
 { W. VALENTINE,
 { G. JONES,
 { D. S. HUBBS.

20030

The following are the proceeding at a Meeting duly convened the 19th day of 4th month, 1883, for purposes set forth in the following resolutions:—

S. B. Hubbs moved, and D. S. Hubbs seconded, that Levi Varney be chairman.—Carried.

Gilbert Jones moved, and Henry Haight seconded, that Levi V. Bowerman be appointed Secretary —Carried

The resolutions being read were carried unanimously, twenty-six male members being present and voting.

(Sg'd)

LEVI VARNEY,

Chairman.

Moved by Gilbert Jones, seconded by William Valentine,

20040

That, Whereas, the lands hereinafter described are now held by trustees of the West Lake Monthly Meeting of Friends, appointed by said Monthly Meeting to secure the title of Meeting house, lots and burying grounds, without the manner of appointing successors being set forth in deed of grant, or conveyance thereof.

And, Whereas, the said the West Lake Monthly Meeting of Friends is not a body corporate,

And, Whereas, Chapter two hundred and sixteen of the Revised Statutes of Ontario prescribes the mode in which, under the circumstances aforesaid, any Congregation or Society of Christians of any denomination may determine in what manner the successors to such trustees shall be appointed out of members of the religious denomination in whose behalf lands were originally granted, conveyed or conceded, and also the mode of appointment of trustees of any lands to which the said congregation or 20050 society is entitled and their successors in trust,

And, Whereas, it is desirable that the said, the West Lake Monthly Meeting of Friends, should declare in what manner the successors to the present trustees of said lands, and their successors shall be appointed.

And, Whereas, it is also desirable to appoint new trustees of the said lands to hold the same in trust for the said the West Lake Monthly Meeting of Friends.

And, Whereas, the Meeting of the West Lake Monthly Meeting of Friends, at which the resolution is passed, is held at the time and place appointed by the discipline of the Society of Friends in Canada and in pursuance of the said provisions of the said Statute,

Be it, therefore, and it is hereby resolved by the West Lake Monthly Meeting of Friends, and the said West Lake Monthly Meeting of Friends hereby determine that the manner in which successors to the trustees herein named shall be from time to time hereinafter appointed out of the members of the said the West Lake Monthly Meeting of Friends shall be by the voice of the said West Lake Monthly Meeting of Friends, as recorded by the clerk thereof, in the Monthly Meeting book, the same being ascertained and determined according to the ancient established usage and custom of the Society of Friends, and also, 20060

Be it, and it is hereby resolved and determined that John Garratt, Levi V. Bowerman and Amos G. Bowerman be, and they are hereby appointed trustees of the following lands and premises, namely:—

Firstly,—All that certain parcel or tract of land situate lying and being in the Township of Halliwell, Midland District, and Province of Upper Canada, containing by admeasurement 6 acres, be the same more or less, composed of a part of Lots number nine and ten in the second concession of the military tract which said land is butted and bounded or may be otherwise known, that is to say: Commencing at a post marked "A," north of the Meeting house and in the line between the aforesaid lots number nine and ten, then running north seventy degrees west eight rods, then south seventy degrees west, sixty rods more or less to the waters edge of a creek, south of the aforesaid Meeting house, then an easterly course along the creek sixteen rods, then north twenty degrees east sixty rods more or less, then north seventy degrees west eight rods more or less to the place of beginning. 20070

Secondly,—All and singular that certain piece or parcel of land lying, being and situate in the Township of Ameliasburg (now Hillier) County of Prince Edward, and Province of Ontario, being part of Lot number three in the first concession Lake Side in said Township of Hillier, containing by admeasurement one acre and a half, which said acre and a half is butted and bounded or may be otherwise known as follows:—Commencing at stake or post marked "A.B," at the road's edge at the west side of said lot, thirty-seven chains from the waters edge, then north seventy degrees east five chains, then north twenty degrees west three chains, then south seventy degrees west to the road's edge five chains, then south twenty degrees east three chains to the place of beginning. 20080

To have and to hold the said lands, tenements and premises upon the special trust, that the same shall be forever hereafter held by the said trustees hereby appointed, and their successors for the use of the members of the religious Society of Quakers, called and known as the Society of Friends of the West Lake Monthly Meeting of Friends, which Society shall be exclusively composed of persons who conform to the discipline and who hold and maintain the doctrines of Christian faith and belief of the Society of Friends as determined upon, set forth and declared by the Society of Friends at the New York Yearly Meeting, at the Meeting of the said Society in the City of New York in the State of New York one of the United States of America, in the year one thousand eight hundred and fifty-nine. 20090

No further business appearing at this time the Meeting concluded.

(Sg'd)

LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held at Wellington at 5th month, 17th. 1883.

The representatives being called were present.

The queries were all read and answers thereto, which were as follows. The advices were also read.

Gilbert Jones, Wm. Garratt, Adam H. Garratt and Samuel Ellis were appointed representatives to 20100 the ensuing Four Months Meeting and to report,

John Garratt and Levi V. Bowerman were appointed to collect our portion of the money for the use of the Yearly Meeting and to pay it to the clerk of this Meeting, before the next Four Months Meeting

The committee to visit Robert G. Hubbs on account of request, reported that one of them had made him a visit and he believed him convinced of Friends' principles and that his life and conversation were orderly. After deliberation Friends were united in receiving him into membership with us. William Garratt and William Valentine were appointed to inform him thereof.

Complaints were forwarded by Bloomfield Preparative Meeting against Robert H. Saylor for disgraceful conduct and for identifying himself and taking an active part with those who preach doctrines and adopt usages inconsistent with the principles of the Society of Friends. 20110

Against Charles G. Bowerman for disgraceful conduct for preaching unsound doctrines and for identifying himself with those who have gone contrary to the doctrines and practices of Friends.

Against John H. Cronkhite, Samuel C. Saylor and Anthony T. Haight for taking an active part and identifying themselves with those who preach doctrines and adopt practices inconsistent with the principles of the Society of Friends.

Against Stephen W. White, Joshua B. Dorland, Bennett Bowerman, Cory B. Cronkhite, David H. Saylor and Arnold Haight for identifying themselves with those who preach doctrines and adopt practices inconsistent with the principles of the Society of Friends.

Allen M. Dorland, Adam H. Garratt, Amos G. Bowerman and Levi V. Bowerman were appointed to visit them on account of these complaints and report to next Meeting. 20120

No further business appearing the Meeting concluded.

(Sg'd)

LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held at Bloomfield 6th month, 21st, 1883,

In consequence of the absence of a considerable number of Friends who were in attendance at our Yearly Meeting it was thought best to adjourn to meet fifth day next, the 28th inst., at the close of the Meeting for worship.

(Sg'd)

LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held at Bloomfield by adjournment 6th month, 28th 20130 1883.

The representaives being called were present, except two and a satisfactory reason was given for the absence of one.

Our Friend, Daniel Koll, acceptably attended this Meeting with a certificate of unity from Salem Monthly Meeting, Ohio, held 6th month, 13th, 1883.

Our Friend, Naomi Peacock, a minister, acceptably attended this Meeting with a certificate of unity from North Branch Monthly Meeting, Iowa, held 5th month, 24th, 1883, endorsed by Bear Creek Quarterly Meeting held 6th month, 20th, 1883.

Our Friend, Eunice B Beezely, a minister, acceptably attended this Meeting as a companion to Naomi Peacock, with a certificate of unity from North Branch Monthly Meeting held 5th month, 24th, 20140 1883, endorsed by Bear Creek Quarterly Meeting held 5th month, 26th, 1883.

The clerk was directed to furnish Naomi Peacock and Eunice D. Beezely with a copy of the foregoing minute in their behalf.

The representatives to the Four Months Meeting reported they attended,

The committee to raise our proportion of money for the Yearly Meeting's use reported it all raised and paid,

The committee to inform R. G. Hubbs of his reception into membership not being ready to report were continued one month.

The committee to visit those who were complained of last month not being ready to report were continued.

20150

No further business appearing the Meeting concluded.

Sgd, LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held 7th month; 19th, 1883.

Those who have separated from Friends prevented us from holding our Meeting until a late hour and when they had concluded their business Friends quietly kept their seats. After they left Friends transacted their business.

The representatives being called were present.

The committee to inform Robt G, Hubbs of his reception into membership, informed the appointment answered.

20160

The committee appoined to visit those complained of in 5th month last reported that they had visited all but three and that they did not manifest any disposition to remain with Friends.

William Valentine and Allen M. Dorland were appointed to prepare a testimony of denial against Robert H. Saylor, Charles G, Bowerman, Joshua B Dorland, Bennett Bowerman, Anthony T. Haight,

Cory B. Cronkhite, David H. Saylor and Arnold Haight and produce it to next Meeting,

The committee was continued to visit Stephen W. White, Samuel C. Saylor and John H. Cronkhite.

The overseers forwarded to this Meeting complaints against John T. Dorland for identifying himself and taking an active part with those who preach doctrines and adopt practices at variance with the Society of Friends.

Also against David B. Bowerman for disgraceful conduct, for identifying himself with those who 20170 preach doctrines and adopt practices and forms inconsistent with the principles of Friends.

Judah B. Hutchinson and Adam H. Garratt were appointed to visit them on account thereof and report.

Women Friends informed that they had concluded to disown Eliza Brewer, Sarah Ann Derbyshire Rachel Cronkhite, Sarah Jane Bowerman, Mary Jane Bowerman, Angeline Haight, Maria Haight, Miriam White, Sarah L. Foster, Lucy Cronkhite, Susannah Brown, Susannah Haight, Mary Ann Dorland, Catharine Saylor and Lydia S. Hubbs with which we unite.

Women Friends also informed us that they united with us in disowning the offenders for whom testimonies of denial were ordered to be made.

Our esteemed Friend Matilda Branscomb, a minister in unity with us, laid before this Meeting a 20180 prospect which had rested upon her mind for a length of time and latterly with increased weight, of visiting in the love of the Gospel a part of the Meetings in Yonge Street Quarterly Meeting and the Meetings composing Pelham Quarterly Meeting and to appoint some Meetings as the Lord may direct.

Full unity was expressed with her concern and she was liberated to attend thereto, as truth may open the way.

The clerks were directed to furnish her with a copy of the foregoing minute and to sign it on behalf of this Meeting.

No further business appearing Meeting concluded.

(Sg'd)

LEVI VARNEY,

Clerk. 20190

At West Lake Monthly Meeting of Friends held at Wellington 8th month, 16th. 1883.

The representatives being called were present,

The business of the Meeting was interrupted by the presence of some who were not members and of others who were under dealing, but as they refused to leave when requested to do so, Friends proceeded.

The committee appointed to visit some against whom complaints had been made, reported they had visited Stephen W. White, Samuel C. Saylor and John H. Cronkhite. The former two manifested no disposition to remain with us. J. H. Cronkhite did wish to remain a member until it is decided

which is the Society of Friends, which not being deemed a sufficient reason for retaining him in membership it was concluded to disown him with the others.

20200

Levi Varney and Levi V. Bowerman were appointed to prepare a testimony of denial against them and produce it to next Monthly Meeting.

The committee to prepare a testimony of denial against Charles G. Bowerman and others, produced one for each, as follows:—

Whereas Charles G. Bowerman has so far deviated from the Society of Friends as to be guilty of disgraceful conduct, and of preaching unsound doctrines, and also of identifying himself with those who, have gone contrary to the doctrines and ways of worship of Friends, and our labors of love having proved unavailing to convince him of his errors, we therefore are obliged to testify against his being any longer a member of our Society, until by the Witness of Truth in his soul becomes convinced of his errors, and makes satisfaction for the same, which that he may be enabled to do, is our sincere desire. 20210

Whereas Joshua B. Dorland has so far deviated from the principles of Friends as to identify himself with those who preach doctrines and adopt practices and forms inconsistent with the principles of Friends and our labors of love having proved unavailing to bring him to a sense of his error, we therefore testify against his being any longer a member of our Society, until he becomes convinced of his error, and makes satisfaction therefor, which that he may be enabled to do, is our sincere desire.

Whereas, Bennett Bowerman has so far deviated from the principles of truth as to identify himself with those who preach doctrines and adopt practices inconsistent with the principles of the Society of Friends and our labors of love having proved ineffectual to convince him of his error, we therefore testify against his being any longer a member of our Society, until, through Divine assistance, he is convinced of the error of his ways and is willing to make satisfaction therefor, which it is our desire that he may be enabled to do. 20220

Anthony T. Haight having taken an active part, and identified himself with those who preach doctrines and adopt practices inconsistent with the principles of the Society of Friends, and our labors of love having been bestowed without producing the desired effect, we testify against his being a member with us until he becomes convinced of the errors of his ways and makes satisfaction to Friends which it is our desire that he may be favored to do.

Cory B. Cronkhite having identified himself with those who preach doctrines and adopt practices inconsistent with the principles of the Society of Friends, and our labors of love having been bestowed without producing the desired effect, we testify against his being a member with us, until he becomes convinced of the errors of his ways, and wishes to return, which, that he may be favored to do is our desire. 20230

David H. Saylor having identified himself with those who preach doctrines and adopt practices inconsistent with the principles of the Society of Friends and our labors of love having been bestowed without producing the desired effect, we testify against his being a member with us, until he becomes convinced of the error of his ways and makes satisfaction to Friends, which it is our desire that he may be favored to do.

Arnoldi Haight having identified himself with those who preached doctrines and adopt practices inconsistent with the principles of the Society of Friends, and our labors of love having been bestowed without producing the desired effect we testify against his being a member with us, until he becomes convinced of the errors of his way and makes satisfaction to Friends, which it is our desire he may be favored to do, 20240

Allen M. Dorland, Judah S Hutchinson and Gilbert Jones were appointed to show them a copy of these minutes of disownment, inform them of their right to appeal and report.

The committee appointed to visit John T. Dorland and David B. Bowerman on account of complaints against them reported attention. They were continued.

Women Friends informed that they united with us in disowning Stephen W. White, Samuel C. Saylor and John H. Cronkhite.

Received a number of copies from Yearly Meeting minutes which were apportioned to the Preparative Meetings. 20250

Our Friend, Matilda Branscomb, returned the certificate granted her last month with information that she had performed the service for which she was liberated, to the peace of her mind, which was satisfactory to this Meeting.

Our business being accomplished the Meeting concluded.

(Sg'd)

LEVI VARNEY,

Clerk.

At West Lake Monthly Meeting of Friends held at Bloomfield 8th month, 20th, 1883.

The representatives being called were present.

The queries were all read and answers to the usual six from the Preparative Meeting of which the following summary was prepared for the Four Months Meeting. The advices were also read. 20260

Judah B. Hutchinson, Amos G. Bowerman, Adam Henry Garratt and Levi V. Bowerman were appointed our representatives to attend the ensuing Four Months' Meeting with business from this and to report.

The committee to prepare testimonies of disownment against Stephen W. White, Samuel C. Saylor and John H. Cronkhite produced them as follows which being read and approved the clerk was directed to sign them in behalf of this Meeting.

William Valentine and Amos G. Bowerman were appointed to show them a copy, give them one if requested to, to inform of their right to appeal and to report.

The testimony of disownment against Robert H. Saylor, having been mislaid last month, was read at this time and approved, the clerk was directed to sign it, and David Danham and William Robinson were appointed to show him the minute, give him a copy if he requests it, inform him of his right to appeal and report. 20270

Stephen W. White having identified himself with those who preach doctrines and adopt practices inconsistent with the principles of the Society of Friends and our labors of love having been bestowed without producing the desired effect, we hereby testify against his being any longer a member with us, until he is brought to see the error of his ways, and to make satisfaction to Friends, which it is our desire that he may be favored to do.

Samuel C. Saylor having taken an active part and identified himself with those who preach doctrines and adopt practices inconsistent with the principles of the Society of Friends and our labors of love having been bestowed without producing the desired effect, we hereby testify against his being any longer a member with us until he is brought to see the error of his ways and is willing to make satisfaction to Friends, which it is our desire that he may be enabled to do. 20280

John C. Cronkhite having taken an active part, and identified himself with those who preach doctrines and adopt practices inconsistent with the doctrines of the Society of Friends, and our labors of love having been bestowed without the desired effect, we hereby testify against his being any longer a member with us, until he is brought to see the error of his ways, and is willing to make satisfaction to Friends, which it is our desire that he may be favored to do.

Robert H. Saylor having brought reproach upon our society by disgraceful conduct, and having identified himself and taken an active part with those who preach doctrines and adopt usages inconsistent with the principles of the Society of Friends, and our labors of love having proved ineffectual to convince him of his errors, we therefore testify against his being any longer a member of our society, until through the operation of the witness of truth he may repent of his errors and make satisfaction therefore, which it is our desire he may be favored to do, 20290

The committee to inform Charles G. Bowerman and others complained of at the same time reported that they had given the information to all except Charles G. Bowerman, They were continued to inform him.

The committee to visit John T. Dorland and David B. Bowerman reported that they had visited John T. Dorland, who did not wish to remain a member with us. David B. Bowerman being absent from the county, they had no opportunity to see him. They were continued.

Bloomfield Preparative Meeting forwarded to this Meeting a complaint against Alexander Derbyshire for telling a falsehood calculated to injure the religious character of a Friend, and for identifying himself with those who preach doctrines and adopt practices inconsistent with the principles of the Society of Friends. 20300

Allan M. Dorland and John Garratt were appointed to visit him thereon and to report.

Also a complaint against Joseph Kingston for identifying himself with those who preach doctrines and adopt practices inconsistent with the principles of the Society of Friends.

Levi V. Bowerman and Levi Varney were appointed to visit him on account thereof and to report.

David A. Branscomb requested a removal of certificate to Grey Monthly Meeting.

William Valentine and Levi Varney were appointed to make the necessary inquiry in the case and if nothing appears to prevent to produce one at our next Meeting, 20310

The time for which the
were pointed to bring to rest in
November, business opening

The office of General Taylor, New York

Account of the late John F. Kennedy

It is a sad thing to see a man who has been so long in the
of our country, and who has been so long in the
of our country, and who has been so long in the
of our country, and who has been so long in the

and in the year 1881, in the year 1881, in the year 1881

It was concluded, both by the House and the Senate, that
the House and the Senate, that the House and the Senate, that

Resolutions of the House of Representatives

It is a sad thing to see a man who has been so long in the

The representative

When the House of Representatives

the House of Representatives, the House of Representatives, the House of Representatives

Gilbert Jones and

noting and report

The time for which the overseers were appointed having expired William Garratt and John Garratt were appointed to bring to next Monthly Meeting the names of suitable Friends for that service.

No further business appearing the Meeting concluded.

(Sg'd)

LEVI VARNEY,

Clerk.

DEFENDANTS EXHIBIT "101"

Discipline of Canada Yearly Meeting—1881.

PLAINTIFFS EXHIBIT "21"

Minutes of Canada Yearly Meeting of Women Friends—1883.

PLAINTIFFS EXHIBIT "71"

20320

Minutes of West Lake Preparative Meeting of Friends commencing 2nd month; 10th, 1881.

Doctrines contrary to our principles as well as divers inconsistencies in practice having been introduced amongst us by some of our members, it has appeared to us that as a body professing the doctrines of Friends it is our duty to uphold the standard of truth in its purity, desiring that we may humbly seek ability of our Heavenly Father and to do His will.

After considering and adopted the foregoing minute Bloomfield Preparative Meeting was held 2nd month, 10th, 1881, in joint session for this time.

It was concluded to hold our Monthly Meeting at Bloomfield the 17th inst., and Amos G. Bowerman, David Branscombe, Jane Cronk and Eliza H. Varney were appointed representatives thereto.

(Sgd.)

LEVI VARNEY,

20330

Clerk for the day.

Bloomfield Preparative Meeting of Friends held 3rd month, 9th 1881.

Levi V. Bowerman was appointed for clerk for one year.

The representatives to attend the Monthly Meeting being absent a Friend report they attended.

Wm Valentine reports that he has agreed with John Terwilligar to make fires and to take care of the Meeting house for one year for \$10.00, and that he has paid \$3.60 for wood and for cutting it, which this Meeting directs to be raised and appoints Levi Varney to collect the same and pay to him.

Gilbert Jones and William Branscombe are appointed as our representatives to attend the Monthly Meeting and report.

Then concluded.

20340

The Council had

The Council had
The Council had all been read in this meeting

The Council had all been read
The Council had all been read

Came to this meeting by way of the
is from Marshall A. B. Johnson (a minor figure)
was the only one in the meeting
Then came a letter

One of the representatives lives in the
attended flight and William Volante
submitted and report
Then adjourned

With regard
William Volante and David
was then read to report
The Council had

Bloomfield Preparative Meeting of Friends held 4th month, 13th, 1881.

The representatives to attend the Monthly Meeting report they attended.

William Valentine and Levi Varney are appointed to attend the Monthly Meeting with the business from this and report,

Levi Varney reports the money to be collected for wood and for cutting it all paid.

Then concluded.

Bloomfield Preparative Meeting of Friends held 6th Month, 11th, 1881.

The Representatives to attend the Monthly Meeting report they attended.

The queries have all been read in this Meeting, with the answers to them, which are as follows :—

The advices were also read.

20350

William Brandscomb and Gilbert Jones are appointed to attend the Monthly Meeting with the business from this and report.

Came to this Meeting by way of one of the overseers, a request to be joined in membership with Friends from Marshall A. Brandscomb, (a minor) signed by William and Matilda Brandscomb, which was directed to the Monthly Meeting.

Then concluded.

Bloomfield Preparative Meeting of Friends held 6th month, 8th, 1881.

One of the representatives to attend the Monthly Meeting report they attended

Zachariah Haight and William Valentine are appointed to attend the Monthly Meeting as our representatives and report.

20360

Then adjourned.

Bloomfield Preparative Meeting of Friends held 7th month, 13th, 1881.

The representatives to attend the Monthly Meeting report they attended.

Edward Cronk and David Branscomb are appointed to attend the Monthly Meeting with the business from this and to report.

Then concluded.

Bloomfield Preparative Meeting of Friends held 8th month, 10th, 1881.

The clerk being absent Levi Varney was appointed for the day.

The representatives to last month's Meeting not being present they were continued to report to our next Meeting,

20370

Zachariah Haight and Gilbert Jones were appointed to attend our next Monthly Meeting with the business from this and to report.

Then concluded.

Bloomfield Preparative Meeting of Friends held 9th month, 7th, 1881.

The representatives to attend the Monthly Meeting not being present they were continued to report to our next Monthly Meeting.

One of the representatives to attend the Monthly Meeting in the 7th month report they attended.

William Valentine and Levi V. Bowerman, are appointed to attend the Monthly Meeting as our representatives and to report.

The queries have all been read in this Meeting with the answers to the usual six, which are as follows :

The advices were also read.

Then adjourned.

Bloomfield Preparative Meeting of Friends held 10th month, 12th, 1881.

The representatives to attend the Monthly Meeting report they attended.

One of the representatives to attend the Monthly Meeting in 8th month report he attended. No report from the other.

William Valentine and Gilbert Jones are appointed to attend our next Monthly Meeting as representatives and to report.

Then adjourned.

20390

Bloomfield Preparative Meeting of Friends held 11th month, 9th, 1881.

The representatives appointed to attend the Monthly Meeting report they attended.

David Branscomb and Edward Cronk are appointed to attend the Monthly Meeting as our representatives and to report.

Then adjourned.

Bloomfield Preparative Meeting of Friends held 12th month, 7th, 1881.

No report from the representatives to attend the Monthly Meeting. They are continued to report.

Gilbert Jones and Allen M Dorland are appointed to attend the Meeting and to report.

William Valentine and L. V. Bowerman are appointed to agree with some one to furnish wood, make fires, sweep and take care of the Meeting house and yard for one year and collect the money and to pay 20400 for the past year's services.

Then concluded.

Bloomfield Preparative Meeting of Friends held 1st month, 11th, 1882.

One of the representatives to attend the Monthly Meeting report they attended.

No report from the representatives to attend the Monthly Meeting in 11th month. A Friend report they attended.

The queries have all been read in this Meeting with the answers to the usual six, which are as follows. The advices were also read.

The committee to agree with some one to furnish wood, make fires, &c., report attention. They are continued.

20410

William Branscomb and Levi Varney are appointed to attend the Monthly Meeting as our representatives and to report,

The answers to the queries the same as in 9th month, 1881.

Bloomfield Preparative Meeting of Friends held 2nd month, 8th, 1882.

No report from the representatives to attend the Monthly Meeting. They are continued to report next month.

One of the committee to agree with some one to make fires, sweep and take care of the house, &c., report they have agreed with Sarah J. Bowerman to make fires, sweep and take care of the house for one year for \$10.00 and have procured wood and paid for the same, and there is in Levi Varney's hands

\$4.00 to get wood for next year.

William Valentine and Judah Hutchinson are appointed to attend the Monthly Meeting as our 20420 representatives and to report.

Then adjourned,

Bloomfield Preparative Meeting of Friends held 3rd month, 8th, 1882.

One of the representatives to attend the Monthly Meeting report they attended.

The representatives to attend the Monthly Meeting in first month report they attended.

Gilbert Jones and William Branscomb are appointed to attend the Monthly Meeting as our representatives and to report.

Then concluded.

Bloomfield Preparative Meeting of Friends held 4th month, 12th, 1882.

The representatives to attend the Monthly Meeting report they attended.

20430

William Valentine and Levi Varney are appointed to attend the Monthly Meeting as our representatives and to report.

Then concluded.

Bloomfield Preparative Meeting of Friends held 5th month, 10th, 1882.

The representatives to attend the Monthly Meeting, report that one of them attended, and a satisfactory reason given for the non-attendance of the other.

The queries have all been read in this meeting and the answers to them which are as follows.

The advice were also read,

Allan M. Dorland and Gilbert Jones are appointed to attend the Monthly Meeting as our representatives and to report.

20440

Then concluded.

Bloomfield Preparative Meeting of Friends held 6th Month, 7th, 1882.

One of the representatives to attend the Monthly Meeting report they attended

Judah Hutchinson and Gilbert Jones are appointed to attend the Monthly Meeting as our representatives and to report.

Then concluded.

Bloomfield Preparative Meeting of Friends held 7th month, 12th, 1882.

One of the representatives to attend the Monthly Meeting report they attended.

Levi Varney and Levi Bowerman are appointed to attend the Monthly Meeting as our representatives and to report, 20450

Then concluded.

Bloomfield Preparative Meeting of Friends held 8th month, 9th, 1882.

One of the representatives to attend the Monthly Meeting reports. The other reports he did not attend on account of sickness.

Zachariah Haight and William Branscomb are appointed to attend the Monthly Meeting as our representatives and to report.

Then concluded.

Bloomfield Preparative Meeting of Friends held 9th month, 13th, 1882.

The representatives to attend the Monthly Meeting report they attended.

The queries have all been read in this Meeting, with the answers to the usual six, which are as follows. 20460

The advices are also read.

William Valentine and David Branscomb are appointed to attend the Monthly Meeting as our representatives and to report.

The answers to the queries the same as in 9th month, 1881.

Then adjourned.

Bloomfield Preparative Meeting of Friends held 10th month, 11th 1882.

One of the Representatives to attend the Monthly Meeting report they attended.

Judiah B. Hutchinson and William Branscomb are appointed to attend the Monthly Meeting with the business from this and report. 20470

Then concluded.

Bloomfield Preparative Meeting held 11th month, 8th, 1882.

The representatives to attend the Monthly Meeting report they attended.

Zachariah Haight and William Valentine are appointed to attend the Monthly Meeting as our representatives and to report.

Then concluded

Bloomfield Preparative Meeting of Friends held 12th month, 13th, 1882.

One of the representatives to attend the Monthly Meeting report they attended.

Gilbert Jones and William Valentine are appointed to attend the Monthly Meeting as our representatives and to report.

20480

Then concluded.

Bloomfield Preparative Meeting of Friends held 1st month, 10th, 1883.

The representatives to attend the Monthly meeting report they attended.

The queries have all been read in this Meeting with the answers which are as follows.

The advices were also read.

Came to this Meeting from the Monthly Meeting a minute directing us to raise our proportion of \$75 for the Yearly Meeting's use,

William Branscomb and William Valentine are appointed to attend the Monthly Meeting as our representatives and to report,

Being obliged to leave the Meeting house for a time on account of the difficulties in Society, we appoint William Valentine and Levi V. Bowerman to procure a place to hold our Meetings in and to agree with some one to make fires.

20490

Then adjourned.

Bloomfield Preparative Meeting of Friends held 2nd month, 7th, 1883.

No account from the representatives to attend the Monthly Meeting. They are continued.

David Branscomb and Johnson Brewer are appointed to attend the Monthly Meeting and to report.

Then concluded.

Bloomfield Preparative Meeting of Friends held 3rd month, 7th, 1883.

One of the representatives to attend the Monthly Meeting report they attended.

Neither of the representatives to attend the Monthly Meeting in 1st month are present but a Friend informs us they attended.

20500

Judah B. Hutchinson and Levi Bowerman are appointed to attend the Monthly Meeting with the business from this and to report.

Then concluded.

Bloomfield Preparative Meeting of Friends held 4th month, 12th, 1883.

The representatives to attend the Monthly Meeting report they attended.

William Valentine and Levi V. Bowerman, are appointed to attend the Monthly Meeting with the business from this and to report.

Amos Bowerman and William Valentine are appointed to look after some and to agree with them to make fires and to take care of the house and yard for one year and pay those for their past services, 20510

Then concluded.

Bloomfield Preparative Meeting of Friends held 5th month, 10th, 1883.

The representatives to attend the Monthly Meeting report they attended.

The queries have all been read in this Meeting with the answers to them, which are as follows.

The advices were also read.

Gilbert Jones and Amos G. Bowerman are appointed to attend the Monthly Meeting as our representatives and to report.

The committee appointed to agree with some one to make fires and to take care of the house and to pay those for past services report they have paid Gideon Bowerman \$2 50 for past services.

Came to this Meeting by way of the overseers complaints against the following persons namely, 20520 which was directed to the Monthly Meeting :—

Robert H. Saylor, Stephen W. White, Joshua B. Dorland, Bennett Bowerman, Alexander Derbyshire, John H. Cronkhite, Charles G. Bowerman, David B. Bowerman, Samuel C. Saylor, Paul C. Haight, John T. Dorland, Arnold Haight, David H. Saylor, Anthony T. Haight and Cory B. Cronkhite,

Then concluded.

Bloomfield Preparative Meeting of Friends held 6th month, 14th, 1883.

The representatives to attend the Monthly Meeting report they attended.

Zachariah Haight and William Branscombe are appointed to attend the Monthly Meeting as our representatives and to report.

Then concluded.

20530

Bloomfield Preparative Meeting of Friends held 7th month, 12th, 1883.

One of the representatives to attend the Monthly Meeting report they attended.

The Plaintiffs objected to leaving the room as they have been in the habit of doing.

Came to this Meeting by way of the overseers two complaints, one against John T. Dorland, sr and one against David B. Bowerman, which was directed to the Monthly Meeting.

Amos G. Bowerman and William Valentine are appointed to attend the Monthly Meeting as our representatives and to report.

Then concluded.

Bloomfield Preparative Meeting of Friends held 8th month, 9th, 1883.

The representatives to attend the Monthly Meeting report they attended.

20540

Gilbert Jones and Amos Bowerman are appointed to attend the Monthly Meeting as our representatives and to report.

Then concluded.

Bloomfield Preparative Meeting of Friends held 9th month, 13th, 1883.

One of the representatives to attend the Monthly Meeting report they attended.

The queries have all been read in this Meeting with the answers to the usual six.
The advices were also read.

Came to this Meeting by way of the overseers a complaint against Joseph Kingston, also one against Alexander Derbyshire which were directed to the Monthly Meeting.

Levi V. Bowerman and William Valentine were appointed to attend the Monthly Meeting as our 20550
representatives and to report.

Then concluded.

Bloomfield Preparative Meeting of Friends held 10th month, 10th, 1883.

A Friend informed the Meeting that the representatives attended the Monthly Meeting.

William Valentine and Levi Bowerman are appointed to attend the Monthly Meeting with the business from this and to report.

Then concluded.

Bloomfield Preparative Meeting of Friends held 11th Month, 7th, 1883.

The representatives to attend the Monthly Meeting report they attended.

William Branscomb and Amos Bowerman are appointed to attend the Monthly Meeting as our 20560 representatives and to report.

Then concluded.

Bloomfield Preparative Meeting of Friends held 12th month, 17th, 1883.

The representatives to attend the Monthly Meeting, report that one of them attended.

Zachariah Haight and William Valentine are appointed to attend the Monthly Meeting as our representatives and to report.

William Valentine and Levi Bowerman are appointed to procure wood and see to the making fires and look after the house and yards.

Then concluded.

Bloomfield Preparative Meeting of Friends held 1st month, 9th, 1884.

20570

This Meeting concludes to adjourn to meet at the close of the Meeting on first day next, as the Women's Meeting is too small, on account of the severeness of the weather to hold a business meeting.

Then concluded.

Bloomfield Preparative Meeting of Friends held 1st month, 13th, 1884.

This Meeting opened according to adjournment.

One of the Representatives to attend the Monthly Meeting report they attended.

Levi Bowerman and William Valentine are appointed to attend the Monthly Meeting as our representatives and to report,

The queries have all been read in this Meeting, with the answers to the usual six, which are as follows.

20580

The advices are also read.

Then adjourned,

Bloomfield Preparative Meeting of Friends held 2nd month, 14th, 1884.

The representatives to attend the Monthly Meeting report they attended.

Gilbert Jones and William Valentine are appointed to attend the Monthly Meeting with the business from this and to report.

The committee to agree with some one to make fires, sweep and take care of the house and yard report they have agreed with George Mills to do the work for \$10 the remainder of the year 1884.

Levi Bowerman was appointed to have care of the library belonging to the Meeting and to collect in all the books that are out and can be obtained. Librarian appointed caretaker of the house, 20590

Then adjourned.

Bloomfield Preparative Meeting of Friends held 3rd month, 13th, 1884.

The representatives to attend the Monthly Meeting report they attended.

William Branscomb and Amos Bowerman are appointed to attend the Monthly Meeting as our representatives and to report.

Then adjourned.

Bloomfield Preparative Meeting of Friends held 4th month, 10th 1884.

The Friends to attend the Monthly Meeting as our representatives not being present were continued to report.

William Bowerman and Zachariah Haight are appointed to attend the Monthly Meeting as our 20600 representatives and to report.

Then adjourned.

Bloomfield Preparative Meeting of Friends held 5th month, 8th, 1884.

The representatives to attend the Monthly Meeting report they attended.

One of the representatives to attend the Monthly Meeting in 3rd month report they attended.

The queries have all been read in this meeting with the answers to them as follows.

The advices were also read,

Our portion of the Yearly Meeting money is \$10.34, which we have proceeded to raise.

William Valentine and Levi Varney are appointed to attend the Monthly Meeting as our representatives and to report. 20610

Then adjourned.

DEFENDANTS EXHIBIT "G 1."

Testimony issued by Norwich Monthly Meeting of Friends,

ONTARIO,

CANADA.

Some of the members of our Monthly Meeting having withdrawn from us and set us a separate Meeting. it becomes our religious duty to point out the causes that have mainly contributed thereto.

We are persuaded that the occurrences which have led to the separation alluded to, had their origin in a departure from the long established doctrines of the Society of Friends and presenting an unbalanced or one-sided view of Scripture truth. The ground work of error, being the idea so frequently held forth in public, that our Lord Jesus Christ, in shedding His blood on Calvary, wrought our complete salvation 20620 for mankind, consequently all that is needful is a belief therein and appropriation to themselves, or, as often expressed, to "accept Christ's finished work." That we are not to wait for or expect an inward sense of pardon and acceptance with God, but to believe what is recorded in the written Word and to trust hourly and momentarily that the Blood of Jesus Christ cleanseth from all sin.

In a tract reprinted from the Dublin Tract Repository by the Central Book and Tract Committee of Friends, Richmond, Indiana, entitled, "The Way of Salvation." 1869, page 22, are the following words, "Christ hath done everything for the sinner and man has nothing to do in order to obtain remission of sins but to believe in what Christ has done for him."

In such an experience men can have no definite conception of sin in its various forms or the subtle devices of the enemy of souls, neither is there a discerning betwixt right and wrong, but a persuasion 20630 that all things are clean unto them. This may be considered the broad inlet to inconsistency in precept and practice; for if our Lord Jesus Christ had wrought for men on Calvary complete salvation; if the blood He shed on the Cross had cleansed us from all sin, there could be no sin in the world. It is, however, argued that to be available it must be believed.

If, therefore, the sin of unbelief remains, the cleansing has not been perfected., If our act of believing be requisite to ensure salvation, the work could not have been completed on Calvary; and if there be no sin remaining but that of unbelief, what of murders, adulteries, and all the various crimes abounding in the world? Can it be supposed that God became reconciled to those acts of men because "He so loved the world that He gave His only begotten Son that whosoever believeth in Him should not perish but have everlasting life!" Will the mere act of believing save while in the commission of 20640 crime? Will a belief in the record contained in Scripture preserve men from perdition? We apprehend it comes far short of a saving belief in the Lord Jesus Christ. Men may firmly believe that God hath raised the Lord Jesus from the dead and confess Him with the mouth while the heart is far from Him. But a heart belief unto righteousness includes a godly sorrow for sin, and with the Lord's help a forsaking of it and a laying hold on eternal life, which is repentance towards God and faith towards our Lord Jesus Christ.

If the Lord Jesus has completed on Calvary all the work of man's salvation, there can be nothing for the Holy Spirit to do but show to man the fact of their redemption, and that must needs be through the agency of the Holy Scriptures to harmonize with other portions of the teachings. Hence the assertion so frequently heard, "that the Spirit never cleanses, only enlightens." That this is contrary to 20650 Scripture the following passages with others abundantly testify:—"And such were some of you, but ye are washed." "But ye are sanctified, but ye are justified in the name of the Lord Jesus and by the Spirit of our God." Here the Spirit is brought into view as the cleanser. "Except a man be born of water and the Spirit, he cannot enter into the kingdom of God." "As Christ also loved the Church and gave Himself for it, that He might sanctify and cleanse it with the washing of water by the Word."

"God is a Spirit and the fountain of living waters." He that is born of God must therefore, according to the Scriptures, be born of water and of the Spirit.

The following is in perfect harmony therewith: "Ye were not redeemed with corruptable things as silver and gold, from your vain conversation but with the precious blood of Christ as of a Lamb without blemish and without spot."

20660

Other Scripture texts confirm the truth respecting the "Three that bear witness on earth, the spirit and the water and the blood, and that these three agree in one," touching man's salvation.

The first epistles of John I, 7, is quoted also, in order to prove that the blood alone cleanses, the spirit never, "The blood of Jesus Christ, His Son, cleanseth us from all sin."

What the apostles says is this: "This then is the message that we have heard of Him, and declare unto you that God is light and in Him is no darkness at all. If we say that we have fellowship with Him and walk in darkness, we lie and do not the truth, but if we walk in the light as He is in the light, we have fellowship one with another, and the blood of Jesus, His Son, cleanseth us from all sin." The word "cleanseth" is in the present tense, and conditional on our walking in the light, had it solely referred to the offering on Calvary, it certainly would have been, "hath cleanseth." This message of John, therefore, clearly proves the union of the spirit and the blood in our cleansing. The apostle Peter sums up the matter in regular order: "Elect according to the full knowledge of God the Father through sanctification of the spirit unto obedience, and sprinkling of the blood of Jesus Christ," &c.

20670

It is asserted (probably on the same ground) that pardon is obtained prior to obedience. Our relationship to God is either one of obedience or disobedience, Whilst in disobedience we are sinful. If, therefore, God pardons men before they are brought into a state of obedience, He pardons them in sin.

Another erroneous idea inculcated is that, "there is no sorrow in repentance, it being simply a turning round and going another way." The apostle says to the Corinthians, "Now I rejoice not that ye were made sorry but that ye sorrowed to repentance for ye were made sorry after a godly manner, for godly sorrow worketh repentance not to be repented of; but the sorrow of the world worketh death. Speaking also of the effects. For this self-same thing that ye sorrowed after a godly sort, what carefulness it wrought in you."

20680

William Penn, in speaking of repentance from dead works to serve the living God has the following which he says comprehends three operations. 1st.—A sight of sin. 2nd.—A sense and godly sorrow for it. 3rd.—An amendment for time to come.

This was the repentance our early Friends preached and pressed upon their hearers, and the natural result of the principle they turned all people unto, for of light came sight, and of sight came sense and sorrow, and of sense and sorrow came amendment of life.

The convicted seeking soul is very liable to be captivated and led astray by the many unsound views now promulgated, amongst others the following: 1st.—"That there is no sorrow in repentance," 20690 2nd—"That the new birth is a fact, and not a process." 3rd.—"That the Holy Spirit does not work in the heart of the sinner," How then is the sinner to be awakened. 4th—"That Christ's second appearance without sin unto salvation will be a personal appearance." If this be the correct interpretation of Hebrews IX, 28, how can the promise be true as respects all who have looked for Him since He was offered." And 5th.—"That the Scriptures being the words of God are equal to and one with the spirit of God," thus equalizing the thing created with the Creator. 6th.—That all those who believe (in the manner alluded to) have the spirit of God as their abiding guest. Consequently they are raised to a

higher level, and by trusting in Him enjoy uninterrupted peace, apparently forgetful of the needed care of the husbandman in purging the fruit bearing branches and that chastening, which is the evidence of worship. Also that the Holy Spirit so rests upon them that the commission "Go teach all nations, etc," is conferred upon each and every member of the Church, and that such may at any and all times engage in acceptable ministerial service without waiting for any special qualification from on high for each individual act of duty therein. 20700

The doctrinal writings of our early Friends and the testimonies of those of our ministers of the present day, who are in unity therewith, have also been condemned by the Separatists both privately and on public occasions as unsound when no just ground for such an accusation could be sustained.

For several years a number of our members have been engaged in conducting what they call a Bible Class, appointing Meetings in various localities, not being simply as opportunities for reading and studying the Holy Scriptures, but partaking more of the character of such religious Meetings as, according to our discipline, should be under its supervision and control. The attenders of these Meetings have been publicly exhorted by the individuals assuming the direction thereof to set up no standards or make no laws, but just let the Lord work His own way, as though He created and governed the universe regardless of law or order. It is, therefore, little cause of surprise that such proceedings should come into collision with the well known religious principles of the Society of Friends or the discipline thereof which we believe was founded by our predecessors under the guidance of best wisdom and in accordance with which our Meetings are subject to order and supervision. Preparative Meetings being subordinate to Monthly, Monthly to Quarterly, and Quarterly to the Yearly Meeting, each Meeting exercising its legitimate functions. 20710

Notwithstanding, the originators of this Bible Class were likewise members of the Monthly Meeting they continued to hold its sittings independent thereof, regardless of due subordinations, particularly in the matter of setting up meetings without officially informing it (the Monthly Meeting) and requesting its counsel. 29720

Strangers coming amongst us, professedly as ministers of the Gospel, have also countenanced and encouraged them in so doing.

The inevitable result was to cause a difference of sentiment in the Monthly Meetings, interfering with the harmonious transaction of its business, Measures being proposed which could not be united with as involving a departure from the testimonies of the Society, and their advocates unwilling to drop them in condescension to the scruples of their brethern, continued to urge their adoption. As a religious society we believe that the true authority of a Meeting for discipline depends on its members being gathered in the name and acting under the influence of our Holy Head. 20730

We, therefore, appoint no individual member as president or chairman of such Meeting, and decide none of its measures by a plurality of votes. It is also, according to our order, that when a case comes before a Meeting and cannot be either unitedly agreed upon or rejected that such should be laid over for future consideration, Circumstances of this nature will frequently occur, but where the members are sincerely desirous of a wise disposition of its business and time allowed for reflection, a favourable conclusion is generally arrived at. Should it, however, become evident that an amicable termination cannot be attained, the only alternative is to adjourn. Such has been the course that Norwich Monthly Meeting for a length of time has been obliged to pursue, and the members of the Bible Class becoming

impatient of delay set up a separate Meeting, which they claim to be the Norwich Monthly Meeting,

The following extracts from the publications of our early Friends are for the readers information. 20740
Robert Barclay says:—

We consider our redemption in a two-fold respect, both which, in their own nature are perfect, though in their application to us the one is not, nor can be without respect to the other.

The first is the redemption performed and accomplished by Christ for us in His crucified body without us. The other is the redemption wrought by Christ in us, which no less properly is called and accounted a redemption than the former.

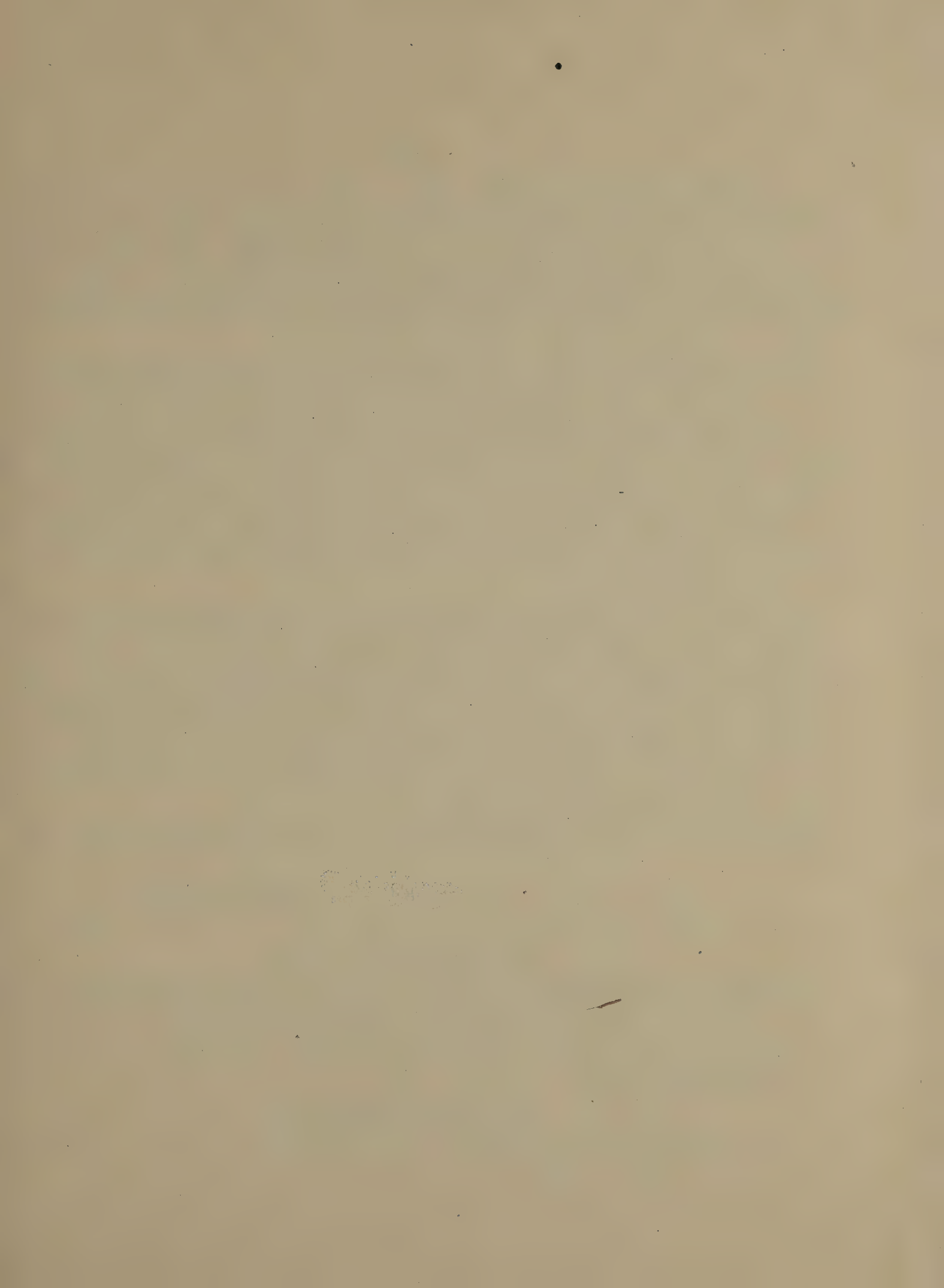
The first then is that whereby a man as he stands in the fall, is put into a capacity of salvation and hath conveyed unto Him a measure of that power, virtue, spirit, life and grace that is in Christ Jesus, which, as the free gift of God, is able to counterbalance, overcome and root out the evil seed wherewith we are naturally, as in the fall, leavened. 20750

The second is that whereby we witness and know this pure and perfect redemption in ourselves purifying, cleansing and redeeming us from the power of corruption and bringing us into unity, favour and friendship with God.

By the first of these two we that were lost in Adam's plunge into the bitter and corrupt seed unable of ourselves to do any good thing but naturally joined and united to evil forward and propense to all iniquity servants and slaves to the power and spirit of darkness are, notwithstanding all this, so far reconciled to God by the death of His Son while enemies, that we are put into a capacity of salvation having the glad tidings of the Gospel of peace offered unto us and God is reconciled unto us in Christ; calls and invites us to Himself, in which respect we understand these Scriptures: He slew the enmity in Himself. He loved us first, seeing us in our blood. He said unto us, live He who did no sin His own self, bare our sins in His own body on the tree and He died for our sins, the just for the unjust, 20760

By the second we witness this capacity brought into act, whereby receiving and not resisting the purchase of His death to win the light, spirit and grace of Christ revealed in us, we witness and possess a real, true and inward redemption from the power and prevalency of sin, and so come to be truly and really redeemed, justified and made righteous, and to a sensible union and friendship with God. Thus He died for us that He might redeem us from all iniquity and thus we know Him and the power of His resurrection and the fellowship of His sufferings being made conformable to His death. This last follows the first in order and is a consequence of it proceeding from it as an effect from its cause, so as none could have enjoyed the last without the first had been, such being the will of God, so also can none now partake of the first, "but as He witnesseth the last. 20770

William Penn, in his "Primitive Christianity Reviv'd", has the following:—"We do believe that Jesus Christ was our Holy sacrifice, atonement and propitiation, that He bore our iniquities, and that by His stripes we are healed of the wounds Adam gave us in his fall, and that God is just in forgiving true penitents upon the credit of that holy offering Christ made of Himself to God for us, and that what He did and suffered satisfied and pleased God, and was for the sake of the fallen man that had displeased God; and that through the offering up of Himself once for all through the Eternal Spirit, He hath forever perfected those in all times that were sanctified, who walked not after the flesh but after the Spirit. Romans, VIII, 1. Mark that,



In short, justification consists of two parts, or hath a two-fold consideration viz, justification from the guilt of sin, and justification from the power and pollution of sin: and in this sense justification 20780 gives a man a full and clear acceptance before God. For want of this latter part it is that so many souls, religiously inclined, are often under doubts, scruples and despondencies, notwithstanding all that their teachers tell them of the extent and efficacy of the first part of justification. It is too general an unhappiness among the professors of christianity that they are apt to cloak their own active and passive disobedience with the active and passive obedience of Christ,

The first part of justification, we do reverently and humbly acknowledge, is only for the sake of the death and sufferings of Christ; nothing we can do though by the operation of the Holy Spirit, being able to cancel old debts or wipe out old scores. It is the power and efficacy of that propitiatory offering upon faith and repentance that justifies us from the sins that are past, and it is the power of Christ's Spirit in our heart that purifies and makes us acceptable before God. For till the heart of man is 20790 purged from sin, God will never accept of it. He reproves, rebukes and condemns those that entertain sin there, and therefore such cannot be said to be in a justified state, condemnation and justification being contraries. So that they that hold themselves in a justified state by the active and passive obedience of Christ, while they are not actively and passively obedient to the spirit of Christ Jesus, are under a strong and dangerous delusion."

In thus briefly alluding to the painful events that have taken place and endeavoring to point out the errors in doctrine, which have led to the destruction of the harmony of our beloved Society. We desire to be clothed with that spirit which preserves from uncharitable censures and leads to suffer long and yet be kind, and while "Contending for the faith once delivered to the saints," may we seek for an increase in our own hearts of the restoring love of the Gospel and that we may be kept in a humble 20800 watchful state, knowing that our unwearied enemy has many snares with which to entrap the unwary and that we are never safe only as we obey the command of the blessed Savior, "Watch and pray lest ye enter into temptation." May the Lord so bring again Zion that the watchmen shall see eye to eye and lift up the voice together to the praise of His great name.

Read and approved at our Monthly Meeting aforesaid, held by adjournment the 21st of 11th month, 1877.

(Sg'd)

ADAM SPENCER,

Clerk,

PLAINTIFFS EXHIBIT "H. I."

The grace of God within me and the Scriptures without me are the foundation and declaration of 20810 my faith and religion. Let him get a better who can. Thanks be to God that ONLY is our creed, and with good reason too, for if the COMMENT is made our creed instead of the text from that time we believe not in God but in man."

Extract from William Penn.

DEFENDANTS EXHIBIT "II."

Minutes of Ohio Yearly Meeting of 1878.

This Meeting renewedly feels the importance of purging itself from all unsound in doctrine and we hereby reaffirm the substance of the minutes of last year and subordinate Meetings are directed to carry out the instructions of last year therein, given in references to such cases.

We do not believe that there is any principle or quality in the soul of men, innate or otherwise, 20820 which even though rightly used will ever save a single soul, but that it pleased God by the foolishness of preaching, to save them that believe and the Holy Spirit is sent to convince the ungodly of sin who upon repentance towards God and faith in Jesus Christ, who died for us, are justified by His blood and we repudiate the so-called doctrine of the inner life or the gift of a portion of the Holy Spirit in the soul of every man as dangerous, unsound and unscriptural,

DEFENDANTS EXHIBIT "I 1."

Minutes of Ohio Yearly Meeting, 1878.

DEFENDANTS EXHIBIT "J 1."

Proceedings of Yearly Meeting, 1881.

DEFENDANTS EXHIBIT "K 1." 20830

Proceedings of Yearly Meeting, 1882,

DEFENDANTS EXHIBIT "L 1."

Proceedings of Yearly Meeting, 1883,

DEFENDANTS EXHIBIT "M 1."

Minutes of Canada Yearly Meeting, 1883.

PLAINTIFFS EXHIBIT "N 1."

Book of Meetings.

PLAINTIFFS EXHIBIT "P 1."

Minutes of Canada Yearly Meeting, 1881.

PLAINTIFFS EXHIBIT "Q 1." 20840

Minutes of Canada Yearly Meeting, 1883.

DEFENDANTS EXHIBIT "R 1."

Minutes of Canada Yearly Meeting of Women Friends, 1867.

DEFENDANTS EXHIBIT "S 1."

Proceedings of Yearly Meeting, 1878.

DEFENDANTS EXHIBIT "T 1."

Canada Yearly Meeting of Friends, 1879,

DEFENDANTS EXHIBIT "U 1."

Fox's Journal, same as "E."

THE PLAINTIFFS EXHIBIT "W 1."

20850

West Lake Four Months Meeting of Friends held at Bloomfield 6th month, 4th, 1881.

The representatives from three of the Monthly Meetings being called are present; no account from Leeds.

The usual time for appointing clerks the representatives propose Anthony Haight's name for clerk and Stephen W. White's name for assistant, which being separately read and considered were united with, they are appointed to that service for one year.

The queries were all read and answers to them from three of the Monthly, a summary of them are in substance as follows.

The advices were also read.

Robert H. Saylor, Jonathan Dunn, Stephen W. White, John R. Madson, John T. Dorland and 20860 William K. Bowerman are appointed to attend the ensuing Yearly Meeting as our representatives with the business from this and report,

The money called for by the Yearly Meeting, held 1879, not all raised yet, neither is our proportion of the money called for by last Yearly raised yet. The Monthly Meetings behind are continued to raise and forward as directed,

Kingston Monthly Meeting requests a Preparative to be held at Moscow in the Township of Camden to be called Moscow Preparative Meeting. This Meeting is united in granting their request, said Meeting to be held the first fifth day in each month, at ten of the clock.

Cold Creek Meeting proposes to hold all their mid-week meetings at 10 o'clock instead of at eleven as formerly, also to hold the Four Months Meeting at ten, and the same change in holding first day 20870 Meeting at Bloomfield. This Meeting unites with the above changes, the Women uniting therein.

There being no further business this Meeting concludes.

(Sg'd)

ANTHONY HAIGHT,

Clerk,

West Lake Four Months Meeting of Friends held at Farmersville 10th month, 1st, 1881.

The representatives being called were eight of them present.

The representatives appointed to attend the Yearly Meeting report they attended and produced a copy of the minutes of the Yearly Meeting, directing its subordinate Meetings to raise their respective quotas of three hundred dollars for the use of the Yearly Meeting this year and pay to the clerk of this Meeting also to the observance of said Meeting with regard to statistics and other matters as directed 20880 to subordinate Monthly Meeting, are directed to observance of said minutes.

Our proportion of money for the Yearly, held in 1879 and 1880 not all raised yet. The Meetings

that are behind are continued to raise and forward as directed.

The queries were all read and answers to two of them a summary of which are as follows.

The advices were also read.

Kingston Monthly Meeting requests the privilege of changing the place of holding that Meeting. That it be held at Storrington instead of Calaragua, as formerly.

This Meeting unites in granting their request, the Women concurring therein,

The subject of revising the quotas of this Meeting claiming the attention of this Meeting, Stephen W. White, John M. Hudson, Alexander Blanchard, Cory B. Cronk, Eli Terrill, Eri Hayes, John R. Hudson are appointed to propose a revision and produce to the next Meeting for the approval thereof. 20890

There being no more business this Meeting concludes.

(Sg'd)

ANTHONY HAIGHT,

Clerk.

West Lake Four Months Meeting of Friends held at Bloomfield 2nd month, 4th, 1882.

The representatives being called are present except three.

The queries were all read and their answers, as forwarded from the Monthly Meetings, a summary of them are as follows.

The advices were also read.

The committee appointed to propose a revision of quotas of this Meeting, produced the following, 20900 viz: That West Lake Monthly Meeting pay 40 per cent., Cold Creek, 30 per cent.; Kingston, 20 per cent. and Leeds, 10 per cent. on all money ordered by this Meeting, proposition was united with and adopted.

The money ordered by the Yearly Meeting not all raised yet, They are continued to raise and forward as directed.

This Meeting concludes.

(Sg'd)

ANTHONY HAIGHT,

Clerk.

Answers to queries.

West Lake Four Months Meeting of Friends held at West Lake 6th month, 2nd, 1882.

20910

The representatives from the different Monthly Meetings being called are present except three and a satisfactory reason assigned for one.

The time for which the clerks were appointed having expired Charles G. Bowerman, on behalf of the representatives, proposed that Anthony Haight be appointed clerk and Stephen W. White assistant clerk, which being separately proposed and considered were united with and they are appointed to that service for one year.

The queries were all read, the answers to them, as forwarded from the Monthly Meetings of which the following is a summary.

The advices were also read.

Cory B. Cronk, Duncan Wood, Stephen W. White, Anthony Haight, John T. Dorland and Abraham 20920 B. Saylor are appointed to attend the ensuing Yearly Meeting as our representatives with the business from this and report.

Also Marmaduke Hutchinson and Joseph Sweetman as caretakers on behalf of this Meeting.

The Monthly Meeting report the money called for by the Yearly Meeting last year is all raised and forwarded.

The statistics of this meeting is as follows.

No. of families	-	-	-	-	45	
Parts of families	-	-	-	-	46	
Members	-	-	-	-	266	
Of children of schoolage	-	-	-	-	43	20930
Of Births	-	-	-	-	3	
Of Deaths	-	-	-	-	5	
Received by Request	-	-	-	-	18	
Received by certificate	-	-	-	-	none	
Issued	-	-	-	-	none	
Resigned and disowned	-	-	-	-	7	
Minister recorded	-	-	-	-	1	
Elders Appointed	-	-	-	-	5	
Preparative Meetings	-	-	-	-	7	
Other Meetings for Worship	-	-	-	-	2	20940

As the usual time for appointing a committee to act in conjunction with committees from the Monthly Meeting with regard to the appointing of Elders, Alexander Derbyshire, John R Hudson, Alfred Crawford, William Robinson, Joseph Sweetman, Amos Blanchard are appointed to act in that capacity for one year.

Came from Cold Creek Monthly Meeting, that they are united in granting a request from Huntingdon Preparative, they be allowed to hold their Mid Week Day Meeting on fourth day instead of fifth day as heretofore, which we are united in granting.

Our esteemed Friends, Rufus P. King and Richard Collins, very acceptably attended this meeting at this time.

Was considered at this time (in joint session) a letter from Thomas Clark, asking that our views re-affirmed, and we are united in requesting the Yearly Meeting to take steps in this direction in the 20950 the Lord's love and fear, and we also desire that the Yearly Meeting may protest against the introduction or spread of the doctrine of Restoration Annihilation and peeseverance of the saints or properly called once in grace always in grace.

The business being accomplished this meeting concludes.

(Sg'd)

ANTHONY HAIGHT,

Clerk,

West Lake Four Months Meeting of Friends held at Farmersville 7th of 10th month, 1882.

The Clerk and Assistant being absent, John T. Dorland, Jr., was appointed clerk for the day, and John M. Hodgson assistant clerk for the day.

By reports from the different Monthly Meetings it appears the following named Friends were 20960 appointed representatives.

West Lake. Cory B. Cronk, Anthony T. Haight, Joseph J. Bowerman and Joshua B. Dorland.

Cold Creek. Cyrus Teal, Joseph Swetman, Eli Terrill and Harvy T. Brundage.

Kingston. Andrew Jackson, William Webb, William L. Hodgson and Edwin Makon.

Leeds. Ephraim Mayhew, Amos Blanchard, who being called were present except seven, satisfactory excuses were given for the absence of three,

The minutes of last Meeting were read.

The representatives to attend the Yearly Meeting report that four of them attended,

The two usual queries were read with the answers from the Monthly Meeting, The summary is as follows. The unanswered queries and the advices were also read. 20970

The business being accomplished in great love and harmony and with the grateful acknowledgment that we have been blessed with the presence of our great Head, this Meeting concludes.

(Sg'd)

JOHN T. DORLAND, Jr.,

Clerk for the day.

West Lake Four Months Meeting of Friends held at Bloomfield the 2nd of 2nd month, 1883.

The time for which clerks are appointed having expired, S. W. White was appointed for the day and David Saylor assistant,

The representatives appointed to attend the Quarterly Meeting report they attended, except four, a satisfactory reason assigned for the absence of two.

The two usual queries were read with answers from the different Monthly Meetings, the summary 20980 is as follows,

The unanswered queries and the advices were also read.

Our esteemed Friends, Isaac Straton and wife, from East Goshen Monthly Meeting of Friends, Mahony Co., Ohio, acceptably attended this Meeting, their company and Gospel labor were edifying and instructive to us.



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Also our dear Friends, Luke Woodard and wife, from Toronto, whose labor in the Gospel were very acceptable and edifying to us.

Moscow Preparative Meeting having requested the hour of holding their first day Meeting changed from eleven to half-past ten o'clock, this Meeting approves of said change.

West Lake Monthly Meeting informs this Meeting they are engaged in legal proceedings to protect their property. This Meeting endorses their action with strong desires that they may still follow closely the voice of the Great Head of the Church in all their doings and dealings.

The Subordinate Meetings are directed to the observance of the Yearly Meeting minutes to raise their proportion of three hundred dollars, also to give accurate statements of the statistics.

A proposition to hold our Quarterly Meetings in future in joint session, was warmly united with having the concurrence of the Womens' Meeting. Accordingly the meeting adjourned, to meet in joint session in Bloomfield in 6th month next, the Lord permitting.

(Sg'd)

S. W. WHITE,

Clerk for the day.

West Lake Four Months Meeting of Friends held at Bloomfield, 6th month, 2nd 1883.

21010

The representatives appointed to attend the Four Months Meeting report they attended with the exception of seven and a suitable reason given for four of them,

The time for which the Clerks were appointed having expired, M. G. Bowerman on behalf of the representatives propose the name of Stephen W. White for Clerk, and Elizabeth Garratt for Assistant, which being separately considered were united with and they were appointed to that service for one year.

West Lake Monthly Meeting informs this meeting they are engaged in legal proceedings to protect their property, this meeting endorses their action with sympathy and recommends, that it be brought to the Yearly Meeting.

The committee to collect the money ordered to be raised by the Yearly Meeting report it not all raised, but forward the amount collected.

We are united in the change that is asked for by the Meeting of Ministers and Elders, to change the hour of holding their Meeting from eleven to two o'clock, if you concur therein,

This Meeting authorizes the clerk to endorse John T. Dorland, jr., certificate, given by West Lake Monthly Meeting in fifth month to attend, in the love of the Gospel, New England Yearly Meeting and sign it on behalf of this Meeting.

Our beloved brother, Rufus P. King, a minister of the Gospel, from Springfield Monthly Meeting, North Carolina, very acceptably attended this Meeting, whose company and Gospel labors were very strengthening and edifying to us, and unites in praise to our Heavenly Father that He still is mindful of us by sending His servants amongst us.

21030

at a meeting of the Society held
at the City Hall, New York, on
the 10th of May, 1851.

The minutes were all read in this
Monthly Meeting, a summary of which is
being prepared.

Report of the Board of
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Lucy Cronk, Sarah Foster; Cory Cronk, David Saylor and Marmaduke Hutchinson are appointed as caretakers of the Yearly Meeting.

Simon Terrill, S. W White, Harriet McDonald, Eliza Brewer, A. T. Haight, Alex. Derbyshire, Rachel Cronk, Catharine Saylor, Anna Terrill, Lydia Dunn and John R. Hodgson, Robert Saylor are appointed to attend the Yearly Meeting with the business from this and report to next Meeting.

The queries were all read in this Meeting with answers to the usual number from the different Monthly Meeting, a summary of which is as follows.

Under a sense of the loving care of the dear Redeemer the business being accomplished the Meeting adjourned.

(Sg'd)

S. W, WHITE,

21040

Clerk.

Statistical report of Four Months Meeting of West Lake, for the year ending 6th month, 1st, 1883.

No, families	-	-	-	-	60
" parts of families	-	-	-	-	41
" of Members	-	-	-	-	377
" children schoolage	-	-	-	-	35
" built since last report	-	-	-	-	4
" deaths	-	-	-	-	5
" received by request	-	-	-	-	14
" removed	-	-	-	-	3
" resigned	-	-	-	-	1
" disowned	-	-	-	-	28
" Preparative Meeting	-	-	-	-	7
" Meetings for worship	-	-	-	-	1
Not yet established	-	-	-	-	1
" Ministers recorded	-	-	-	-	2
Since last report	-	-	-	-	2

21050

PLAINTIFF'S EXHIBIT "X 1."

Foxes Journal, Vol. II, 1839.

PLAINTIFF'S EXHIBIT "Y 1."

21060

Harrison vs. Hoyles Ohio reports.

PLAINTIFF'S EXHIBIT "Z 1."

Earl vs. Wood. Report, 1855.

PLAINTIFFS EXHIBIT "A 2."

Fox's journal, vol. 1, pages 309, 358, 419, 420.

DEFENDANTS EXHIBIT "B 2."

Works of Isaac Pennington.

DEFENDANTS EXHIBIT "C 2."

Discipline of New England Yearly Meeting, 1872.

DEFENDANTS EXHIBIT "D 2."

21070

New York Discipline, 1859.

DEFENDANTS EXHIBIT "E 2."

Fox's Journal.

DEFENDANTS EXHIBIT "F 2."

Barclay's apology, pages 378. 380.

DEFENDANTS EXHIBIT "G 2."

Barclay's apology, (second edition),

DEFENDANTS EXHIBIT "H 2."

Fox's journal, vol. 1.

DEFENDANTS EXHIBIT "I 2."

21080

Address by Philadelphia Yearly Meeting of Friends, 1868.

DEFENDANTS EXHIBIT "J 2."

Modern Quakerism by Edgerton, 1876.

DEFENDANTS EXHIBIT "K 2."

A brief narrative in relation of the position of Philadelphia Yearly Meeting of Friends, 1873.

DEFENDANTS EXHIBIT "L 2."

A brief narrative in relation of the position of Philadelphia Yearly Meeting of Friends, 1880.

DEFENDANTS EXHIBIT "M 2."

Essay on discipline to New England Yearly Meeting, 1881.

DEFENDANTS EXHIBIT "N 2."

21090

An address by Philadelphia Yearly Meeting of Friends, 1883.

DEFENDANTS EXHIBIT "O 2."

Narrative in Relation to the Position of Philadelphia Yearly Meeting of Friends.

DEFENDANTS EXHIBIT "W 2,"

Frontis piece.

According to a revision of the quotas by the Yearly Meeting, 1875, West Lake Four Months Meeting pays 33 per cent.

Yonge Street Quarterly Meeting pays 40 per cent.

Pelham Quarterly Meeting pays 27 per cent.

of all money ordered by the Yearly Meeting.

According to a revision of the quotas by the Four Months Meeting in the 2nd month, 1873,

West Lake Monthly Meeting pays	44 per cent.	
Cold Creek " " "	31 " "	21100
Kingston " " "	10 " "	
Leeds " " "	15 " "	

of all money ordered by the Four Months Meeting.

At West Lake Four Months Meeting of Friends held at Bloomfield, 6th month, 2nd 1877.

The representatives were Anthony Haight, Allen M. Dorland, Alexander Derbyshire, Anthony T. Haight, Justus Robinson, Joseph Wiltsie, James A. Blanchard, Jonathan P. Ward, John M. Hodgson, Robt Hodgson, John H. C. Garratt, Townsend Garratt, Simon Terrill, Moses Yerex and Gilbert Jones who were present except three, and a satisfactory reason given for the absence of two.

The time for which the clerks were appointed having expired, the representatives proposed Levi 21110 Varney for clerk and Allen M. Dorland for assistant clerk, whose names were separately considered and united with and they were appointed to the service for one year.

The queries were all read with answers thereto from the several Monthly Meetings and the following summary was adopted for the Yearly Meeting.

The advices were also read.

Allan M. Dorland, Gilbert Jones, Levi Varney, Anthony Haight, Eli Terrill, Joseph Wiltsie and George Valentine were appointed representatives to the Yearly Meeting to take the business from this Meeting and to report,

R. H. Saylor and S. W. White were appointed Caretakers.

Three Monthly Meetings reported the money for the Yearly Meeting's use raised and forwarded. 21120 One reported not all raised at the time of holding the Monthly Meeting, but it was paid at this time time.

All reported the money for the Boarding School not all raised. They were requested to raise and pay the balance as directed,

The committee on the proposed alteration of the 5th query made the following report, viz : We your committee to whom was confided the subject of temperance within our Society report

That a part of our number met according to appointment, and having duly considered the subject in all its bearings, were united in judgment, that we see no way of adding to what our Discipline already provides. On behalf of the committee Townsend C. Garratt, Mary Ann Valentine, which was 21130 adopted.

The Monthly Meetings were directed to the observance of the Yearly Meeting minute respecting the appointment of committee in relation to reading the Holy Scriptures in our families.

By reports from the Monthly Meeting the following statistics were presented :

No of Members	-	-	-	-	496	
" of families	-	-	-	-	81	
" parts of families	-	-	-	-	90	
" children of schoolage	-	-	-	-	84	
" deceased within the year			-	-	4	
" of births	-	-	-	-	3	21140
" received into membership		-	-	-	3	
" removals	-	-	-	-	none	
" resigned membership	-	-	-	-	7	
" disowned	-	-	-	-	1	

Cold Creek Monthly Meeting reported \$126.45 of its quotas of boarding school money raised and forwarded to the treasurer of the boarding school committee.

Our esteemed Friend, Samuel Morris, a minister, acceptably attended this Meeting with a certificate of unity from Frankford Monthly Meeting of Friends, State of Pennsylvania, dated 5th month, 3rd, 1877 endorsed by Abington Quarterly Meeting, 5th month, 10th, 1877.

Our esteemed Friend, Thomas P. Pope, an Elder acceptably attended this meeting as companion 21150 to Samuel Morris, with a certificate of unity from Frankford Monthly Meeting of Friends. State of Pennsylvania dated 5th month, 3rd, 1877.

William Allen, a Minister acceptably attended this meeting with a certificate of unity from Oak Ridge Monthly Meeting held in Grant Co., Indiana, 9th month, 12th, 1876, endorsed by Northern Quarterly Meeting 9th month, 16th, 1876.

Reuben Birchard, a member, acceptably attended this meeting as companion to William Allen, with a certificate of unity from Mareposer Monthly Meeting, dated 3rd month, 28th, 1877.

The Clerk was directed to furnish the first three of the above named Friends with copies of the foregoing minute respectively.

Our business being accomplished the meeting concluded.

21160

(Sg'd)

LEVI VARNEY,

Clerk,

At West Lake Four Months Meeting of Friends held at Farmersville 10th month, 6th, 1877.

The representatives were Robert H. Saylor, Alexander Derbyshire, Stephen W. White, Johnson Brewer, Jonathan P. Ward, John M. Hodgson, William Webb, Joseph Derbyshire, Sidney Wiltsie, Eliza Wiltsie, Gilbert Jones, George Valentine, Esli Terrill and Samuel Bonisteel; who were present except five.

The Assistant Clerk being absent, John M. Hodgson was appointed for the day.

The queries were all read with answers to the usual six from the several Monthly Meetings, of which the following summary was adopted.

21170

The advices were also read.

The representatives to the Yearly Meeting reported that a part of them attended.

No report from the Caretakers.

Our subordinate Meetings were directed to raise their respective quotas of \$300 for the Yearly Meetings use of which this Meetings quota is \$99.

Our business being accomplished the Meeting concludes.

(Sg'd)

LEVI VARNEY,

Clerk.

At West Lake Four Months Meeting of Friends held at Bloomfield the 2nd month, 2nd, 1878.

The representatives were Stephen W. White, Allan M. Dorland, David Branscomb, Jonathan T. Brown, Phillip E. Ward, Phillip Brewer, John M. Hodgson, Joseph Brown, James A. Blanchard, Sidney Wiltsie, Justus Robinson, Esli Terrill, George Valentine, Henry S. Bowerman and Edward B. Sweetman, who were present except five.

21180

The queries were all read with answers to the usual six from the several Monthly Meetings of which the following is a summary.

The advices were also read.

Kingston Monthly Meeting reported the money for the Yearly Meetings use all raised and forwarded, Leeds paid \$8.50 of its quota.

The Monthly Meetings that are deficient were requested to raise and forward their quotas to our next Meeting.

21190

The treasurer was directed to pay the clerk of this Meeting the sum of three dollars and thirty-five cents (\$3 35) for express charges paid on Yearly Meeting minutes in 1873 and for minute book for this Meeting.

Our Friend, Stephen Cortland, a minister, acceptably attended this Meeting with a certificate of unity from Falmouth Monthly Meeting of Friends held 10th month, 19th, 1876, endorsed by Falmouth Quarterly Meeting 10th month, 28th, 1876.

The clerk was directed to furnish him with copy of the foregoing minute.

Our Friend William Spencer, a minister, acceptably attended this Meeting with a certitfate of unity from Pelham Monthly Meeting held 1st month, 2nd. 1878.

Our Friend Elisha C Taylor, a member, acceptably attend'ed this Meeting as companion to William Spencer with a certificate from Pelham Monthly Meeting held 1st month, 2nd. 1878. 21200

The Meeting then concluded.

(Sg'd) LEVI VARNEY,

Clerk.

At West Lake Four Months Meeting of Friends held at Bloomfield 6th month, 1st, 1878.

The representatives were James W. Noxon, Robert H. Saylor, Levi V. Bowerman, Allen M. Dorland, Joseph Robbins, Alexander Blanchard, Joseph Wiltsie, William Webb, Andrew Jackson, Philip W. Brewer, John H. C. Garratt, Marmaduke Terrill, Edward Sweetman, William Henry Mullett and Joseph Foster who were present except one,

The time for which the clerks were appointed having expired the representatives met but were not united in proposing a name for clerk. Levi Varney was continued to act as clerk for the day. They 21210 proposed Stephen W. White for assistant clerk. who being united with, was appointed to that service for one year.

The queries were all read and answers thereto from the several Monthly Meetings, from which the following summary was prepared for the Yearly Meeting, viz :

Allen M. Dorland, Esli Terrill, Stephen W. White, Anthony T. Haight and Levi Varney were appointed representatives to the Yearly Meeting, who are to take the business from this Meeting and report,

Stephen W. White, Alexander Derbyshire and John M. Hodgson were appointed to attend the Yearly Meeting as caretakers, to assist in the proper gathering of Meetings, and in preserving good order in them.

The money for the Yearly Meetings use was reported not all raised. 21220

One Monthly Meeting reported a small portion of the money for building the Boarding School is raised.

The statistics reported by three Monthly Meetings are as follows :

No. of families	86	
" of parts of families	87	
" of members	481	
" of children of schoolage	71	all attending common school,
" of births	6	
" of deaths	9	
" of removals	0	21230
" received into membership	19	
" resigned	1	
" disowned	4	

No statistics reported from Leeds Monthly Meeting.

The reports relative to the number of Friends families in which the scriptures are read daily, were incomplete.

William Allen, a minister, acceptably attended this Meeting with a certificate from Mariposa Monthly Meeting held 2nd month, 27th, 1878,

Isaac Stratton, a member, acceptably attended this Meeting with a minute from East Goshen Monthly Meeting, State of Ohio, held 1st month, 14th, 1878.

21240

1878

Albert Birchard, a member, acceptably attended this Meeting as companion to William Allen with a minute from Mariposa Monthly Meeting, held 2nd month, 27th, 1878.

The clerk was directed to furnish Isaac Stratton with a copy of the minute made on his behalf.

The business being accomplished the meeting concludes.

(Sg'd)

LEVI VARNEY,

Clerk for the day.

At West Lake Four Months Meeting of Friends held at Farmersville 10th month, 5th, 1878.

The representatives from the several Monthly Meetings were, Anthony Haight, William Robinson, 21250 Anthony T. Haight, Alexander Derbyshire, Jonathan P. Ward, John R. Hodgson, William Webb, Joseph Derbyshire, James A. Blanchard, Justus Robinson, John Vermilyea, Moses Yourex, Esli Terrill and Townsend Garratt, who were present except two, and a satisfactory reason given for the absence of one.

The representatives reported that they had conferred together but were not united in proposing the name of a Friend for clerk. Levi Varney was appointed clerk for the day.

The queries were all read and answers to six of them from the several Monthly Meetings, of which the following is a summary.

The advices were all read.

The representatives to the Yearly Meeting report they all attended.

The Caretakers report that two of them attended.

21260

The Clerk reported the money for the Yearly Meetings use all raised and paid to the Treasurer of the Yearly Meeting.

By the minutes of the Yearly Meeting it appears that the Subordinate Meetings are directed to raise the sum of five hundred and fifty dollars for the use of that meeting. This Meeting's quota is \$181,50, and our Subordinate Meetings are requested to raise their respective quotas of that sum and pay to the Treasurer of this Meeting. The Subordinate Meetings were also directed to raise the balance of their quotas for the use of the Boarding School Committee and pay to our Treasurer.

Our business being accomplished at this time. the Meeting concluded.

(Sg'd)

LEVI VARNEY,

Clerk for the day. 21270

At West Lake Four Months Meeting held at Bloomfield 2nd month, 1st, 1879.

The representatives from the several Monthly Meetings were John Vermilyea, Esli Terrill, Thomas Clark, Simon Terrill, George Valentine, Stephen W. White. John T. Dorland, Joshua B. Dorland, Levi Bowerman, Philip W. Brewer, Jonathan P. Ward, John M. Hodgson, Sidney Wiltsie, James A. Blanchard and Arza Wiltsie who were present except two, and a satisfactory reason given for the absence of one.

The representatives reported that they had conferred together upon the appointment of a clerk and they were united in proposing Levi Varney for the day, with which the Meeting united.

The queries were all read and answers to the usual six from the several Monthly Meetings of which the following is a summary.

21280

The advices were also read.

One Monthly Meeting reported the money called for by the Four Months Meeting not raised. No report from the others. They were all directed to raise and pay their respective quotas before our next Meeting.

Our Friend, Jeremiah Lapp an elder, acceptably attended this Meeting with a minute from Grey Monthly Meeting held 1st month, 17th, 1879, expressive of unity and sympathy with him in his concern.

A concern was expressed at this time that the propriety of changing the place of holding the Four Months Meeting in 10th month, might be considered. After deliberation thereon the following Friends were appointed, in conjunction with a committee of Women Friends, to take the subject into careful consideration and to report to our next Meeting, viz:--Anthony Haight, Anthony T. Haight, 21290 Gilbert Jones, George Valentine, Jonathan P. Ward, John M. Hodgson, James A. Blanchard and Arza Wiltsie.

No further business appearing the meeting concluded.

(Sg'd)

LEVI VARNEY,

Clerk for the day.

At West Lake Four Months Meeting held at Bloomfield, 6th month, 7th 1879.

The representatives being called were present except two and a satisfactory reason given for the absence of one.

The usual time for the appointment of Clerks for this Meeting having arrived the representatives reported they had conferred together and were united in proposing Allen M. Dorland for Cferk and 21300 Anthony Haight for Assistant Clerk. Their names were united with by the Meeting and they were appointed to that service for one year.

The queries were all read, with the answers from the several Monthly Meetings, a summary of which is as follows. The advices were also read.

Harvey Y. Brundage Townsend Garratt, Gilbert Jones, Stephen W. White and Esli Terrill were appointed to attend the Yearly Meeting as representatives with the minutes from this and report.

Anthony T. Haight, Stephen W. White, and Robert Saylor were appointed as caretakers to assist in the proper gathering of Meetings and preserving good order therein.

Our beloved Friend Stanley Humphrey, a Minister acceptably attended this Meeting, with a minute of unity and concurrence, from Worcestershire and Shropshire Monthly Meeting held from the 8th to the 15th day of 4th month, 1875, endorsed by Western Quarterly Meeting held at Worcester, 21st of 4th month, 1875. Also a minute from the Meeting of Ministers and Elders held the 17th, 18th, and 19th, of 3rd month, 1875. 21310

The clerk is directed to furnish him with a copy of the above minute and sign it on behalf of this Meeting.

The committee appointed in conjunction with a committee of Women Friends to consider the propriety of changing the place of holding the Meeting in 10th month submitted the following report which was united with :—

We, your committee, appointed to consider the propriety of changing the place of holding the Four Months Meeting in 10th month, are united in requesting that the subject may remain under the consideration of the committee another year. 21320

(Sgd.)
(Sgd.)

ANTHONY HAIGHT,
ELIZA BREWER.

Cold Creek and Kingston says the money for the Yearly Meetings use is raised. West Lake and Leeds says not all raised, they are request to raise the balance and pay as directed.

Notice of an appeal from the decision of West Lake Monthly Meeting having been forwarded to this Meeting, John Vermilyea, Arza Wiltsie, Jonathan P. Ward, Gilbert Jones, and William Yourex were appointed to take the subject in their care and investigate it accorging to Discipline and report to next Meeting.

The statistics reported by three Monthly Meetings are as follows :

No. of Meetings,	9	Two indnlged.	21330
“ of families	100		
“ of parts of families	89		
“ of members	502		
“ of births	8		
“ of deaths	8		
“ received into membership	5		
“ resigned	5		
“ disowned	2		
“ of children attending district school	34		

No further business appearing the Meeting is concluded.

Secy. A. M. DORLAND,

Clerk.

At West Lake Four Months Meeting of Friends held at Farmersville 10th month, 4th, 1879.

The representatives from the Monthly Meeting being called were present except five.

The assistant clerk being absent John M. Hodgson was appointed for the day.

The queries were all read in this Meeting with the answers to the usual six from the different Monthly Meetings, a summary of which is as follows.

The advices were also read.

The representatives appointed to attend the Yearly Meeting report three of them attended.

The caretakers report two of them attended.

The Meetings that were behind in raising their proportion of money for the Yearly Meetings are report it not yet raised. They are continued to raise and pay as directed.

By the minutes received from the Yearly Meeting for 1879, this Meeting is directed to raise its proportion of \$450 for the use of the Yearly Meeting and pay to its treasurer.

The Monthly Meetings were directed to raise their respective quotas of said sum and pay to this Meetings treasurer.

The committee appointed to investigate the appeal case from West Lake Meeting reported as follows:

To West Lake Four Months Meeting of Friends—

We your committee in the case of William Valentine's appeal, having considered the different complaints against him in all their bearings and the circumstances connected with them do not consider them sufficient to disown him, therefore we think it best to reinstate him.

ARZA WILSON
JOHN VERMILYEA
GILBERT JONES
WILLIAM YOUNG
JONATHAN P. WARD

Signed

Which, after a time of deliberation there was deferred to next Meeting for its consideration.

Then concluded.

At West Lake Four Months Meeting of Friends held at Bloomfield 2nd month, 7th, 1880.

The representatives being called were present except five.

The queries were all read with answers to the usual six from the Monthly Meetings, a summary which is as follows.

No further business appearing the Meeting is concluded.

21340

Sg'd

A. M. DORLAND,

Clerk.

At West Lake Four Months Meeting of Friends held at Farmersville 10th month, 4th, 1879.

The representatives from the Monthly Meeting being called were present except five.

The assistant clerk being absent John M. Hodgson was appointed for the day.

The queries were all read in this Meeting with the answers to the usual six from the different Monthly Meetings, a summary of which is as follows.

The advices were also read.

The representatives appointed to attend the Yearly Meeting report three of them attended.

The caretakers report two of them attended.

21350

The Meetings that were behind in raising their proportion of money for the Yearly Meetings use report it not yet raised. They are continued to raise and pay as directed.

By the minutes received from the Yearly Meeting for 1879, this Meeting is directed to raise its proportion of \$450 for the use of the Yearly Meeting and pay to its treasurer.

The Monthly Meetings were directed to raise their respective quotas of said sum and pay to this Meetings treasurer.

The committee appointed to investigate the appeal case from West Lake Meeting reported as follows :

To West Lake Four Months Meeting of Friends,—

We, your committee in the case of William Valentine's appeal, having considered the different complaints against him in all their bearings and the circumstances connected with them do not consider them sufficient to disown him, therefore we think it best to reinstate him.

Signed

JONATHAN P. WARD.
WILLIAM YOUREX.
GILBERT JONES.
JOHN C. VERMILYEA.
ARZA WILTSIE.

Which, after a time of deliberation there was deferred to next Meeting for its consideration.

Then concluded.

At West Lake Four Months Meeting of Friends held at Bloomfield 2nd month, 7th, 1880.

The representatives being called were present except five.

21370

The queries were all read with answers to the usual six from the Monthly Meetings, a summary which is as follows.

The advices were also read.

Our beloved Friend Josiah Dillon, acceptably attended this Meeting with a certificate of unity from Albion Monthly Meeting held 2nd of 6th month, 1879, Endorsed by Bangor Quarterly Meeting held 8th, 23rd, 1879, the clerk is directed to furnish him with a copy of the above minute and signed on behalf of this Meeting.

West Lake and Leeds not having raised the balance of the money for the Yearly Meeting use in 1878, they are requested to raise the same as directed.

We concur with Cold Creek Monthly Meeting in establishing a Meeting for worship and discipline 21380 in Thurlow, to be called Thurlow Preparative Meeting, said Meeting to be held on 6th day at 11 o'clock proceeding Cold Creek Monthly Meeting.

The report of the Committee in the case of an appeal from West Lake Monthly Meeting deferred from last Meeting to this, having again been considered after a good deal of discussion on the subject it was deferred for next Meetings consideration.

Our business at this time is concluded.

A. M. DORLAND,

Clerk.

At West Lake Four Months Meeting of Friends held at Bloomfield, 10th month, 5th, 1880.

The representatives being called from the several Monthly Meetings were present except four. 21390

The time for which the Clerks were appointed having expired Jonathan P. Ward on behalf of the representatives reported that they had conferred together and agreed to propose Allen M. Dorland as Clerk and Anthony Haight as Assistant which being approved of they were appointed to that service for one year.

The queries were all read in this Meeting with answers from all the Monthly Meetings, a summary of which is as follows.

The advices were also read.

Esli Terrill, William Robinson, Anthony T Haight, Stephen W. White and Jonathan P. Ward were appointed to attend the Yearly Meeting as our representatives with the minutes from this and report. 21400

Stephen W. White and Alexander Derbyshire were also appointed to attend as caretakers to assist in the proper gathering of Meetings and preserving good order therein.

The Meetings behind in raising money for 1878 report no further progress. They are continued to raise it as directed.

The money called for by the Yearly Meeting in 1879 not all raised.

The committee appointed to take into consideration the propriety of changing the place of holding the Meeting in 10th month, reported that way did not open for any change at present.

The appeal case deferred from last Meeting to this, again claiming our attention, the Meeting concluded to adopt the report of the committee, and the clerk was directed to inform the appellant of the same.

21410

Statistics are as follows :

Families	95	
Parts of families	76	
Members	468	
Children	8	all attend common school,
Births	5	
Deaths	5	
Removed	3	
Disowned	0	
Resigned	2	

21420

Then adjourned,

West Lake Four Months Meeting of Friends, held at Farmersville, 10th month, 2nd, 1880.

The Clerks being absent, Jonathan P. Ward's name was proposed for Clerk and John M. Hodgson for Assistant, which being united with, they were appointed for the day.

The representatives being called were present except four.

The queries were all read in this Meeting with the answers from the Monthly Meetings, a summary of which is as follows.

The advices were all read.

Three of the representatives to the Yearly Meeting report they attended.

One of the Caretakers reports they attended.

21430

The Meetings that are behind in raising the money for the Yearly Meetings use in 1878 and 1879 are continued to raise it as directed. The Four Months Meeting is requested to raise its proportion of \$500 for the Yearly Meetings use.

The Monthly Meetings were directed to raise their quotas of said sum and pay to the Clerk of this Meeting,

Then concluded.

(Sg'd)

J. P. WARD,

Clerk for the day.

At West Lake Four Months Meeting of Friends held at Bloomfield 2nd month, 5th 1881.

The representatives being called were present except five.

21440

Joseph Blackledge, a minister, acceptably attended this Meeting with a minute of unity from Salem Monthly Meeting held at Salem, Iowa, and endorsed by Salem Quarterly Meeting held 5th month, 8th, 1880

Also a minute from the same Meeting for Rhoda S. Blackledge, an elder, to accompany her husband on his proposed religious visit.

Isaac Stratton, a minister, acceptably attended this Meeting with a minute of unity from East Goshen Monthly, endorsed by Damascus Quarterly Meeting held 11th month, 13th, 1880.

Also from the same Meeting a minute on behalf of Sarah B. Stratton, to accompany her husband in his proposed religious visit.

Herbert Nicholson, a minister, acceptably attended this Meeting with a minute of unity from Norwich Monthly Meeting, held at Norwich 10th of 10th month, 1880, 21450

William S. Barker, a Minister, acceptably attended this Meeting with a minute of unity from Norwich Monthly Meeting held at North Norwich 10th of 8th month, 1880.

Also from the same Meeting a minute on behalf of Mary Barker to accompany her husband in his religious visit.

The queries have all been read in this Meeting with the answers from the Monthly Meetings, to the usual six a summary of which is as follows.

The advices were all read.

The Meetings that are behind in raising the money for the Yearly Meeting in 1878-9 are continued to raise and forward as directed.

The subject of adopting the present New York discipline occupying the attention of this Meeting 21460 after a considerable of discussion it concluded to recommend the Subordinate Meetings to use it as directed by the Yearly Meeting.

The following Friends were appointed to assist in carrying out the discipline with respect to the appointment of Elders (viz. Simon Terrill, John T. Dorland, Anthony Haight, Duncan Wood, Stephen W. White, John Hodgson.

Then concluded.

West Lake Four Months Meeting of Friends, held at Bloomfield 6th month, 4th, 1881.

The representatives being called were present.

The time for which the clerk was appointed having expired, Gilbert Jones, on behalf of the representatives, reported they had conferred together and were united in proposing A. M. Dorland's name 21470 for clerk and Levi B. Varney for assistant, which being separately considered were united with and they were appointed to that service for one year.

The queries were all read, in this Meeting with the answers to them, a summary of which is as follows. The advices were also read.

By a minute of the last Yearly Meeting the present discipline of New York Meeting was adopted but as it was not accepted by the members of this Meeting we hereby rescind that and all actions in

1870

1871

1872
1873
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1876
1877
1878
1879

relation thereto, it being known to all of us who were present that it was forced upon us against our consent.

Gilbert Jones, Allen M. Dorland, Johnson Brewer, John Vermilyea, Penn Yourex, Levi V. Bowerman, Thomas Robison, jr., Jonathan P. Ward and Levi Varney were appointed attend the Yearly Meeting, if way should open, for holding one with the minutes from this and report. 21480

Our business being accomplished this Meeting is concluded.

Sgd,

A. M. DORLAND,

West Lake Four Months Meeting of Friends held (by direction of the Yearly Meeting held at Pickering, 1881) 9th month, 24th, 1881.

The assistant clerk being absent Thomas Robinson was appointed for the day.

The representatives being called were present except four and a satisfactory reason assigned for the absence of one.

The queries were all read in this Meeting, with the answers from the Monthly Meeting to the usual six, a summary of which are as follows:—

21490

The advices were also read.

The representatives appointed to attend the Yearly Meeting report that most of their number attended, and produced a minute directing this Meeting to raise its proportion of \$75 for the Yearly Meetings use, and pay to William B. Stöser, Treasurer.

An epistle addressed by the Yearly Meeting to Friends, wherever situated, was read at this time to our satisfaction and edification.

Our business at this time being finished this Meeting is concluded.

West Lake Four Months Meeting of Friends held at Bloomfield 1st month, 28th 1882.

The representatives being called were present except one,

No account from Leeds.

21500

The queries were all read in this Meeting with answers to the usual six, as forwarded by the different Meetings, a summary of which is as follows.

The advices were also read.

Cold Creek and West Lake were directed to pay \$16.76 each, towards raising the money for the use of the Yearly Meeting, and Kingston \$3.72; \$4 has already been received from Leeds.

Our beloved Friend Lydia M. Haight, a minister in unity with us, in a weighty manner laid before this Meeting a prospect which has for a length of time rested on her mind and latterly with increasing weight, of visiting in Gospel love the Quarterly Meeting of Scipio and of attending to some other service as is more fully set forth in a certificate granted her by Cold Creek Monthly Meeting. After de-

liberation thereon this Meeting unites with her in the prospect and encouraged her to pursue the same 21510
as best wisdom may direct, The clerk was directed to endorse the substance of this minute on her
certificate.

West Lake Four Months Meeting of Friends held at Bloomfield 5th, month, 27th 1882.

The representatives being called were present.

The queries were all read in this Meeting with the answers from the several Monthly Meetings, a
summary of which are as follows.

The advices were also read.

Thomas Robinson, Allen M. Dorland, Justus Robinson, Samuel Bonisteel and Gilbert Jones were
appointed to attend the Yearly Meetings as representatives with the minutes from this and report.

The money for the Yearly Meetings use is raised and paid as directed.

21520

Our beloved Friend, Lydia M. Haight, returned at this time a minute granted her for religious
service in first month last, stating she had performed the services required of her to the peace and
satisfaction of her mind, which is satisfactory to this Meeting.

Our business at this time being accomplished this Meeting is concluded.

A. M. DORLAND,

Clerk.

West Lake Four Months Meeting of Friends held at Farmersville, 9th month, 30th, 1882.

The representatives being called were present except one.

The queries were all read in this Meeting with answers to the usual six, from the several Monthly
Meetings, a summary of which is as follows :

21530

The advices were also read.

The representatives appointed to attend the Yearly Meeting report that most of their number
attended, and produced a minute directed to the Subordinate Meetings to raise their quotas of \$75 for
the Yearly Meeting's use, and pay to this Meeting's clerk.

The Yearly Meeting's minutes for 1882 were received as directed by that Meeting.

Our business at this time being accomplished this Meeting is concluded.

West Lake Four Months Meeting of Friends held at Bloomfield, 1st month, 27th, 1883.

The representatives were William Garratt, Judah B. Hutchinson, Adam Henry Garratt, Levi V.
Bowerman, Justus Robinson, Ephraim Robinson, Townsend Garratt, Samuel Bonisteel, Arthur Mullett
and Thomas Robinson, who are present except two, and a satisfactory reason assigned for the absence 21540
of one.

The queries were all read in this Meeting with the answers to the usual six, of which the following
is a summary.

The advices were also read.

West Lake and Cold Creek Meetings report the money for the Yearly Meetings use not yet raised. Leeds says \$4.00 is raised for that purpose. The Meetings that have not raised their's are continued to raise it and pay as directed.

The subject of defraying the expenses of a law suit with respects to the Monthly Meeting property at West Lake claiming the attention of this Meeting, after a time of discussion thereon were united in appointing the following committee to take the necessary care in the case and to correspond with 21550 other Meetings under individuals as they may think necessary, viz: William Valentine, Gilbert Jones, Levi V. Bowerman, John Vermilyea and Thomas Robinson.

The following minute from the Women's Meeting having been read in this Meeting, we fully unite with its being recorded on our book.

1st month, 27th. 1883.

Friends met together at this time in a Quarterly Meeting capacity under most trying circumstances being shut out of our own Meeting house by those with whom we were wont to mingle in days that are past, many of them brought near us in spirit, and of some we might say, "Bone of my bone hath done this." The prayer of our hearts is, "Father forgive them, they know not what they do."

Accordingly we met in the Town Hall, Bloomfield, and although it was in deep bowedness of 21560 spirit and our mouths as it were laid in the dust, yet the Lord was pleased to manifest Himself in our midst, by the outpouring of his Holy Spirit upon us. Truly out of the mouths of babes and sucklings Thou hast ordained praise. Though the beauty of Israel is slain in high places, yet we do feel that God hath not forsaken Israel, though what He doeth now we know not, but we shall know hereafter. Unto Thy name, O Lord, would we ascribe all the praise for the favors received at this time.

West Lake Four Months Meeting of Friends held at Bloomfield, 6th month, 2nd, 1883.

The representatives being called were present and are as follows :—Gilbert Jones, William Garratt, Adam Henry Garratt, Samuel Ellis, Moses R. Yourex, Thomas Robinson, William P. Yourex, Townsend Garratt, Arthur Mullett and Justice Robinson.

The time for which the Clerks were appointed having expired, Allan M. Dorland's name being pro- 21570 posed as Clerk and Levi V. Bowerman as Assistant, were united with and they were appointed to that service for one year.

The queries were all read in this Meeting with the answers as forwarded by the different Preparative Meetings, a summary of which is as follows :

The advices were also read.

The following Friends were appointed as representatives to attend the ensuing Yearly Meeting with the business from this and report, viz : Levi V. Bowerman, Thomas Robinson, Allen M. Dorland, William Robinson, Jonathan P. Ward, Gilbert Jones and William Valentine.

Moses Yourex and Amos G. Bowerman were appointed as caretakers to assist in keeping order and to the proper gathering of Meetings of Yearly Meeting time.

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OF THE
CITY OF LONDON
1881

1881

1881

1881

The money for the Yearly Meetings use is raised as directed.

Our business at this time being accomplished this Meeting concluded.

West Lake Four Months Meeting of Friends held at Farmersville 9th month, 29th, 1883.

The representatives being called were present except seven.

The queries were all read in this Meeting with answers to the usual six as forwarded by the Monthly Meetings, a summary of which is as follows.

The advices were also read.

The representatives appointed to attend the Yearly Meeting report all but one attended and produced a minute directing the Four Months Meeting to raise its proportion of \$75 for the Yearly Meetings use.

21590

The Monthly Meetings are directed to raise their proportions of said sum and pay to their Meetings clerk,

West Lake Four Months Meeting of Friends held at Bloomfield 1st month, 26th 1884.

The representatives being called were present except three,

No account from Kingston.

The queries were all read in this Meeting with answers to the usual six from West Lake and Leeds. No answers from the other Meetings in consequence of a heavy storm and sickness.

Leeds Meeting reports the money for the Yearly Meetings use raised and paid being \$4. The other Meetings have not raised theirs yet. They are continued to raise it and forward to next Meeting.

PLAINTIFF'S EXHIBIT "X 2."

21600

Fox's Journal. Vol. 2. Pages 419, 420, 571, 575.

EVIDENCE TAKEN AT FIRST TRIAL AT BELLEVILLE, 26TH MARCH, 1883, BEFORE THE HON. THE CHANCELLOR.

Messers Bethune, Q. C., Clute & Williams, Counsel for Plaintiffs.

Messrs MacClennan, Q. C., Arnoldi & Alcorn, Counsel for Defendants.

Mr. Bethune puts in Deed dated 14th March, '21, exhibit "A."

Also confirmation of that deed dated 4th December, '35, exhibit "B."

Also minutes of Yearly Meeting of Friends of '65 in New York, commencing at page 12, exhibit "C."

Also minutes of the Canada Yearly Meeting of Friends held at Pickering at '67, commencing at page 1, exhibit "D."

21610

Also copy of the New York Discipline dated in '59, it being admitted that this was the one in force in '67, exhibit "E."

Also minutes of next Yearly Meeting in '68, exhibit "F."

Also minutes of '69 Yearly Meeting, held in pursuance of the adjournment in "F," exhibit "G."

Also the minutes of '70, exhibit "H."

Also the minutes of Meeting '71, exhibit "I."

Also minutes of '72, exhibit "J," '73 "K," '74 "L," '75 "M," '76 "N," '77 "O," '78, page 4, "P," '79 "Q," '80 "R."

Also the New York Discipline adopted in '77 "T."

Also Book adopted of Canadian Discipline, printed '81, exhibit "S."

21620

Also minutes of Meeting of '81, "U," Meeting at Norwich.

Also Minutes of Meeting '82 at Pickering, exhibit "V."

Also the original Discipline which was first sent to the Society 1810, printed in 1826, exhibit "W."

After discussion Mr. Bethune intimates that he will now give general evidence as in patent cases, and afterwards reply to the Defendants' evidence if he should think fit, this was on the suggestion of the Court.

STEPHEN W. WHITE, sworn for Plaintiffs testified as follows.

By MR. CLUTE.

Q.—You reside I believe in Prince Edward ? A.—I do.

Q.—Are you a member of the West Lake Monthly Meeting ? A.—I am.

21630

Q.—How long have you been a member ? A.—Since my birth '48.

Q.—A member by birth then ? A.—Yes,

Q.—Is that the case that you are a member by birth ? A.—Yes.

Court.—Q.—There is no active reception required ? A.—No not that I know of.

Q.—When was that ? A.—48 years past.

Q.—Of what Preparative Meetings at West Lake are the Monthly Meetings made up ?

A.—Bloomfield and Wellington.

Q.—To which Preparative do you belong ? A.—Bloomfield.

Q.—Who is the present Clerk and Assistant Clerk at West Lake Monthly Meeting ?

A.—Lydia Hubbs is the Clerk and myself is the Assistant Clerk.

21640

Q.—Is the book produced the minute book of the Monthly Meeting at West Lake ? A.—It is ; yes.

What did you see?
What did you hear?

What did you see?
What did you hear?

What did you see?
What did you hear?

Q.—Do you know who was the clerk prior to Lydia Hubbs and yourself ? A.—Anthony Haight.

Q.—Who is one of the plaintiffs, the trustees ? A.—Yes, one of the trustees.

Q.—Were you assistant clerk also during the time that Anthony Haight was clerk ? A.—I was.

Q.—For a length of time ? A.—For a length of time ; yes.

Q.—Is that Anthony Haight's signature to the minutes "X" at page 62 ?

A. Yes, that is his signature.

Mr. Clute here reads the minute referred to.

Q.—Are those the plaintiffs the persons that are named there as trustees ? A.—Yes, they are. 21650

Q.—At page 64 I observe that at the joint committee Dorland, the plaintiff, was appointed recorder in place of William Garratt ?

A.—He was appointed recorder ; I don't remember the date.

Q.—What office has the recorder ?

A.—He holds the books and papers belonging to the Monthly Meeting, that is the old books that have been fil'ed and laid aside ; he also records births, deaths and marriages,

Q.—17th February, '81. I find that the defendant Gilbert Jones' certificate was received. Do you remember that fact ? A.—Yes.

Q.—What is the meaning of that it was received at this time a certificate or memorandum on behalf of Gilbert Jones at Meeting 9th January ? 21669

A.—He being a member of that Meeting and wishing to move and reside in the limits of our Meeting, they certified him to us and we accepted that from them.

Court—Q.—He changed his place of abode and was received by you ? A.—Yes.

Q.—I find on page 66 of the discipline direction as to the Preparative Meeting, and the Meeting appoints M. Robinson, Samuel C. Saylor, Stephen W. White, Anthony P. Haight, John T. Dorland, &c., and the Meeting also appoints John T. Dorland, Cronk and Haight to unite with the committee of Four Months Meetings to take into consideration the condition of that Meeting.

Court—I suppose a prima facie case is made on your showing that 21st November, 1880, there were new trustees appointed in whom the title would be vested prima facie. That was before any act of introducing the new discipline, so that prima facie they would remain trustees with the title in them 21670 until the contrary is shown and I suppose you might close there.

Counsel adopt this view.

MR. CLUTE resumes :

Q.—Who was clerk of that Preparative Bloomfield Meeting “Y?” A.—I am clerk.

Q.—Is this “Y” the minute book? A.—Yes.

Q.—Where have you been in the habit of attending Meeting for worship and the Monthly Meeting during your life?

A.—Meeting for worship at Bloomfield, that is on the Sabbath days and in the middle of the week.

Court—Q.—Is this the place in question? A.—Yes, this is the place in question.

Q.—You have attended there all your life have you? A.—Yes.

21680

COURT.

Q.—Then the other people come there to worship with you do they? A.—Yes.

Q.—The Wellington people I mean? A.—They have a Preparative Meeting of worship in Wellington also.

Q.—How is the Monthly Meeting held then?

A.—It is held four times a year at Bloomfield, I should say eight times and four times at Wellington.

Q.—Eight times a year at Bloomfield at the house in question and four times Wellington?

A.—The 1st, 5th, 8th, and 2nd at Wellington, and the balance of the year at Bloomfield.

Court—Q.—Where you worship each week is the Preparative Meeting when you worship in each place?

21690

A.—Yes; I was not speaking of the business Meeting first.

Q.—Of what does the Preparative Meeting consist? Is it a Meeting of worship?

A.—Preparative Meeting, yes, It consists of a Meeting of worship in the early part of the Meeting, perhaps an hour, and after that the business of that Meeting is done.

Q.—At what hour is the Preparative Meeting held? A.—10 o'clock.

Q.—At what hour is the Monthly Meeting held? A.—10 o'clock.

Q.—At what hour is your meeting for worship both on Sunday and in the week? A.—At Bloomfield at 10 o'clock:

Q.—That is on the first day or Sunday? What other day do you hold? A.—The 5th day, Thursday,

21700

Q.—Were you present on the Sunday that the disturbance took place at that Meeting? A.—No.

Q.—Were you there at the week day meeting? A.—No.

BY MR. MACCLENNAN:

Q.—How long had you been Assistant Clerk? A.—To the Monthly Meeting?

Q.—When ? A.—From memory I could'nt say.

Q.—For how long ? I don't want the exact time ? A.—I think have been clerk as much as three years perhaps.

Q.—Was it before the Yearly Meeting of June, '80 ?

A.—I am not certain about that, I could'nt say certainly about that, I could'nt say distinctly, for certain whether I was. 21710

Q.—Was it long before this Meeting changing trustees ? A.—I think I was.

Q.—You think it was before the June Meeting '80 ? A.—I think so.

Q.—Mr. Haight was your predecessor was he ? A.—He was Clerk. Anthony Haight was Clerk.

Q.—And Miss Hubbs succeeded Anthony Haight ? A.—Yes.

Q.—You have never been Clerk ? A.—No, not of the Monthly Meeting.

Q.—She succeeded Anthony Haight, and when did she succeed Anthony Haight ?

A.—Probably about three months or four ago, not longer than that perhaps.

Q.—Anthony Haight was clerk up to then ? A.—Yes.

Q.—Who were the trustees at the time the change was made ? A.—Of the clerks ?

Q.—No, at the time the change of trustees was made, who were the existing trustees ? 21720

A.—I believe Wm. Valentine, Edward Cronk and Vincent Bowerman, and perhaps Wm. Garratt, I am not certain, I think he was on a subsequent appointment, perhaps before them,

Q.—How many were there ? A.—That would be four.

Q.—These four gentlemen were then trustees ? A.—Yes.

Q.—And you appointed four others in their places did you ? A.—Yes, we appointed four others.

Q.—Now was there anything, was there any notice given before hand that such a change was intended, by anybody that you know of ?

A.—It had been previously spoken of in the Meeting ; yes.

Q.—When ?

A.—Well I am not certain as to the time exactly, but previous in one or more of the Monthly Meetings it had been mentioned 21730

Q.—Any record of it ? A.—I think not ?

Q.—Was there any notice that the question was going to be taken up that day given to anybody ?

A.—No, nothing.

Q.—Nothing whatever? A.—Nothing previous to the Meeting that I know of.

Q.—The subject was just taken up that day and these four gentlemen were removed and four others put in their places.

A.—The subject was taken up and discussed.

Q.—It was discussed was it? A.—It was,

Q.—And was there anyone opposed to it? A.—I don't know that there was any opposition to it. 21740

Q.—Why? You were present? A.—Yes, I was present.

Q.—And how is it that you don't know whether there was any opposition or not?

A.—I don't remember hearing of any opposition; I didn't hear of any opposition to it.

Q.—Have you heard at any time that there was any opposition to it?

A.—Not officially. No, not officially I haven't.

Q.—Have you unofficially then? A.—I think I have heard that they were dissatisfied.

Q.—What distinction do you make between what you hear officially and what you hear unofficially?

A.—I have heard some outside talk that they were not satisfied, at least that Wm. Valentine was not satisfied; I never heard any other instance in the number but what was satisfied.

Q.—I mean of those present at the Meeting?

21750

A.—I never heard any dissatisfaction except that I did understand that Wm. Valentine was not pleased with it.

Q.—And was he there at the Meeting? A.—I am not certain whether he was or not.

Q.—Do you know why it was thought desirable to make this change?

A.—Yes; it was talked over in the Meeting.

Q.—And why was that?

A.—In consequence of our aged Friends, they being past the age for doing business properly, and in consequence of Wm. Valentine not being a member.

Q.—Did you think all these gentlemen were unfit to continue to be trustees?

A.—Well, I do, yes. I think so.

21760

Q.—On account of their age? A.—Their age and infirmity, yes.

Q.—And was there any other reason? A.—Not that I know of, no other reason.

Q.—Had the difficulties and dissensions that were arising in the body at that time anything to do with it do you think.

A.—Not as I know of.

Q.—And what is your belief about it ? do you believe it had nothing to do with it ?

A.—Really I could'nt answer what my belief might be in that respect, I had'nt thought on my own part of anything only to replace the old gentlemen with younger members, more active members.

Q.—You had'nt thought of anything on your own part ? A.—No, I hadn't.

Q.—So you made a clean sweep of them ? is it a usual thing to remove gentlemen who are like 21770 Mr. Valentine here, able to attend to his own business thoroughly ?

A.—We didn't remove him, he wasn't a member of this at that time I believe.

Q.—He was a trustee you told us didn't you ? A.—Yes he had formerly been a trustee.

Q.—You told me a minute ago he was one of the existing trustees ? A.—I did, yes.

Q.—And you removed him ?

A.—I didn't speak as I should have, I told you wrong I presume, because he was not a member at that time, I believe not.

Q.—How long had he ceased to be a member ? A.—I can't give you the date from memory exactly.

Q.—About how long had he ceased to be a member ?

A.—I will try and answer that if I can ; my memory isn't sufficient to answer that perhaps correctly. 21780

Q.—This change was made at the Monthly Meeting was it ? A.—Of the trustees, yes.

Q.—Had it been brought up at the Preparative Meeting ? A.—No, not to my remembrance.

Q.—How was that ?

A.—I don't know that it would be a usual thing or a proper thing to bring it up before the Preparative Meeting.

Q.—Isn't it the duty of the Preparative Meeting to initiate business and to send it up to the Monthly ?

A.—Not of that description.

MR. BETHUNE:

Q.—The defendants have not made any case for avoiding the appointment of trustees ?

21790

COURT ;

That is one of the difficulties, the question of the trustees not being legally appointed ; this may all end in smoke. The real matters in dispute, if there are any, are not in the pleadings. If defendants show that plaintiffs are not actually trustees, the plaintiffs have no right here. I think, however, the evidence is admissible ; it may not effect the question.

MR. MACLENNAN continues :

Q.—You say this was not brought up before the Preparative Meeting ? A.—No.

Q.—At either of them ? A.—Not that I know of.

Q.—And that the only entry in the minutes of the Monthly Meeting is the entry that you have referred to on this subject ?

21800

A.—I think so.

Q.—Just when the thing was done. A.—I think so.

Q.—It was not brought up at one Meeting and then referred to the next Meeting for consideration ?

A.—I am not certain but what it was, but I don't think the book shows that. I am not certain but what it was talked over.

Q.—Talked over is one thing, but actually brought up and referred to the next Meeting for consideration ?

A.—I don't remember that ?

Q.—As far as you know it was not done ? A.—I don't remember that.

Q.—Isn't that the usual way to do in such cases ?

21810

A.—I think I never was present before at an appointment of trustees.

Q.—Isn't that the usual way of doing business of that kind ?

A.—I think it never was never done in my presence before.

Q.—Is that a usual way of doing any kind of business in a Monthly Meeting ? To bring it up at one meeting and to refer it to a committee and then to bring it before the consideration of the next Meeting ?

A.—There are proposals coming before the Monthly Meeting that are immediately attended to at Meeting.

Q.—That is urgent matters I suppose ? A.—And matters of which we spoke before, yes.

Q.—But matters that are not urgent are dealt with in the way that I mentioned are they not ?

21820

A.—They are done that way, yes. They are done both ways.

MR. BETHUNE.—The discipline must speak for itself.

MR. MACLENNAN continues—

Q.—Otherwise there would be no notice to anybody of anything that was going to be brought up ?

A.—There was no notice in this case.

Q.—And that is the way you say this thing was done, was it brought up afterwards at any time ?

A.—No, not to my remembrance.

Q.—Nor complained of by anybody ? A.—No.

Q.—Do you remember Mr. Valentine being present at any meeting in which he complained of it ?

A.—No, I don't remember it.

21830

Q.—And would you say he didn't ? A.—No, I would say so.

Q.—Do you know how long Mr. Haight had been Clerk ?

A.—I think two years ; I am not certain whether two or more.

Q.—And when was Miss Hubbs ? A.—Three or four months ago perhaps.

Q.—So that trustees, officers and all are completely changed within the last couple of years ?

A.—Except myself perhaps, I haven't been changed as assistant clerk.

Q.—Were there at any time considered to be two parties in this Monthly Meeting ?

A.—At what time.

Q.—During the last two or three years ?

A.—I knew nothing of party, there was a feeling in the Meeting, not united perhaps.

21840

Q.—Members taking sides on particular matters, was that so ?

A.—I can't accuse myself of ever doing that ; I don't know what might have been in the minds of others ; of course I couldn't say ; I didn't do any such thing as that on my own behalf.

Q.—You can't speak of the existence of any difference of belief or feeling or practice in this Monthly Meeting ? A.—No.

Q.—There has been nothing but harmony in your Monthly Meeting the last two or three years ?

A.—There has been disunity I have said in the Meeting. That is—a personal feeling of disunity in the Meeting.

Q.—What was that due to ? Can you tell me, what did it arise from.

A.—I couldn't tell as I know of.

21850

Q.—What was the nature of the difference ?

A.—I think a want of love was manifest—that is the most I know—for each other.

Q.—There has been no difference of opinion upon matters affecting your body at all among the members that you know of ?

A.—Not to my personal knowledge, there wasn't anything.

Q.—Then as far as you know there has been no difference of opinion between the Defendants and the Plaintiffs ? with regard to matters affecting the Society ?

Q. Now, you say that the
A. That is what I think.

Q. Now, you say that the
A. That is what I think.

Q. Now, you say that the
A. That is what I think.

Q. Now, you say that the
A. That is what I think.

Q. Now, you say that the
A. That is what I think.

Q. Now, you say that the
A. That is what I think.

Q. Now, you say that the
A. That is what I think.

Q. Now, you say that the
A. That is what I think.

A.—I don't just know what you mean by that.

Q.—I mean there has been no difference of opinion upon matters affecting your Society, matters of faith or matters of practice ? 21860

A.—There may have been differences of opinion.

Q.—Are you aware of any such having existed ?

A.—I am not aware of their being mentioned in our Meetings.

Q.—That isn't what I have asked you j A.—I think there was difference of opinion.

Q.—Now, what was it about ? A.—I couldn't scarcely tell what it was about, I think there was difference of opinion sure.

Q.—Difference of opinion you are sure of that ? A,—Yes.

Q.—But you can't tell what it was about ? A,—No.

Q.—Were there some brethern who differed from you in any matters you know of ?

A.—I don't know that there was. 21870

Q.—You don't know then that there were two parties in this Monthly Meeting at all ?

A.—I presume there was or there wouldn't have been a separation.

Q.—But you merely presume it ; you don't know anything more than that about it ?

A.—I never was concerned in any contraversion nor nothing ; no argument, change of opinion with any of the members, any of the Friends and myself.

Q.—You never were concerned in any contraversion at all ? A.—No.

Q.—For anything then that you are able to tell us the members of the Monthly Meeting are all in perfect harmony, is that so ? 21880

A.—Yes, I think they are at present.

Q.—Have you heard of divisions and dissensions in the Society of Friends in other places ?

A.—I have.

Q.—Have you ever taken the trouble to inform yourself what the subject of these differences have been ?

MR. BETHUNE :

Is that admissible here ?

COURT—It may assist in coming home ; he may not have given any attention to the matter at all.

MR. MACLENNAN continues

Q.—Have you ever endeavored to inform yourself what the differences have been that have arisen 21890 in the Society of Friends ?

A.—There has been nothing to my knowledge that ever should cause dissension ?

Q.—You have heard of differences having arisen ? A.—Yes,

Q.—And divisions and splits in the Society ? A.—Yes.

Q.—In other places ? A.—Yes.

Q.—Now I ask you if you have taken the trouble to inform yourself of the grounds of these differences and the nature of the differences that have arisen ?

A.—I am aware there has been charges made of false doctrine ?

Q.—I am not speaking of any charges being made at all : people may differ in opinion without any impropriety at all : can you answer me ?

21900

A.—I don't know that I can fairly : I don't understand what I am to say beyond my own knowledge.

Q.—You don't understand what the differences are which have—

Q.—So you don't understand the differences that exist, if any such exist, between the different members of this Monthly Meeting ?

A.—I don't,

Q.—Tell me whether the Ministers have been changed within the last two or three years ?

A.—There has been no Ministers changed if I understand the question, there has been one or more acknowledged ministers, acknowledged since separation.

Q.—Go back to '80, at the time of the Yearly Meeting in '80 who were the ministers connected 21910 with your Society ?

A.—Well, Elijah Brewer, Mary Anne Valentine, Elijah Varney, Johnson Brewer, I think that is all in our Monthly Meeting.

Q.—Have any of these been changed since, are they all there still and connected with the Monthly Meeting ?

A.—They are not with us as a Monthly Meeting, they don't meet with us.

Q.—Any of them ? A.—Yes, Elijah Brewer meets with us.

Q.—The others don't ? A.—No, they have neglected attendance.

Q.—Have you got anybody else besides Elijah Brewer now ? A.—Yes.

Q.—And whom ? A.—Catharine Saylor is a minister and Alexander Derbyshire.

21920

Q.—Is that all ? A.—Yes.

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10/10/11 11:11

10/10/11 11:11

Q.—Are any of these from abroad, did they come from abroad ? A.—No.

Q.—They all belonged to yourselves ? A.—Yes.

Q.—To your own neighborhood ? A.—Yes.

Q.—And were formerly members of your own Society ? A.—Yes.

Q.—These days, Mr. White, you used to meet I believe in the Meeting House after the new Discipline was adopted ?

A.—Yes.

Q.—How long did they continue to meet there ?

A.—Perhaps something like 6 months, I am not certain as to the time.

21930

Q.—You mean after '80 ? A.—Yes after the adoption of the discipline.

Q.—After the adoption of the Discipline at the Yearly Meeting ?

A.—It was sent down by the Yearly to the Quarterly Meeting and it was there adopted, and I think about six months after that they ceased coming to our Meetings ; perhaps I am not exactly right as to the time.

Q.—You mean to say that after the discipline was adopted in the Yearly Meeting it was sent down to the Quarterly Meeting ?

A.—Yes,

Q.—And when was that ?

A.—It was adopted in '80 I believe by the Yearly Meeting, and then it was sent by representatives to the Quarterly Meeting, ordering those to adopt it.

21940

Q.—Ordering them to adopt it ? A.—Yes, and handed down still to the smaller Meetings.

Q.—And when did it go to the Quarterly Meeting ? Can you tell me ?

A.—The West Lake Quarter ?

Q.—Yes ? A.—I think in the 2nd month of '81 perhaps.

Q.—And were you present ? A.—Yes.

Q.—Is there a record of that of the proceedings of the Quarterly Meeting ? A.—I think there is.

Q.—And then what was it sent to the Quarterly Meeting for ?

A.—From the Yearly Meeting for the purpose of adoption.

Q.—To be considered ? A.—No.

21950

Q.—What then ? A.—To use as adopted by the Quarterly Meeting.

Q.—It was not to be considered ? A.—No.

Q.—How was that ?

A.—It was an inferior Meeting and it doesn't consult its inferior Meetings, the Yearly Meeting doesn't in regard to business of that kind.

Q.—Do you say so ? A.—I say so as far as I know.

Q.—What was the use of sending it to the Quarterly Meeting ?

A.—Merely to inform it and give it the information that it should adopt it, yes.

Q.—Information of what had been done ? A.—Yes.

Q.—And then what next was done ?

21960

A.—From the Quarterly it was handed down to the Monthly Meeting.

Q.—For what purpose ? A.—For the purpose of information using the discipline.

Q.—It was then they were supposed to know for the first time what had been done, was it ?

A.—Those that attended the Yearly Meeting had an opportunity of knowing all about it.

Q.—But those that hadn't would then become informed for the first time of what had been done ?

A.—I don't know that.

Q.—I ask you to explain what you say you say it was sent up to the Quarterly Meeting for their information and also to the Monthly Meeting for information ?

A.—Yes.

Q.—That is to inform the Meeting I suppose ?

21970

A.—To inform the Meeting that it had passed the Yearly Meeting and that they should adopt it, and this information comes through representatives from the Quarters to the Yearly Meeting sent down.

Q.—Now what was done at the Quarterly Meeting about what you don't know ? Have you got the book of the Quarterly Meeting ?

A.—I think it has been in court ; I believe we have the book here.

Q.—Then you say you were present and then went down to the Monthly Meeting, and when was that ?

A.—The next following the Quarter.

Q.—Is this the entry, reading it, at page 66 of the minute book, dated 17th February, '81 ?

A.—That is what I refer to.

21980

Q.—Then, as I understand you, the new discipline was not sent to the Quarterly Meeting to be considered at all ?

A.—O, No, not to be considered, but to be used.

Q.—Nor was it sent to the Monthly Meeting to be considered ? A.—No, to be used.

Q.—But to be received ? A.—Yes, to be received, that would be the wording.

Q.—They were to submit to it, in fact ? A.—Yes.

Q.—And that was the purpose for which it was sent ? A.—Yes.

Q.—That they might be informed that such a thing had been done and that they were to submit to it.

A.—Yes.

21990

Q.—And then it went down to the Monthly Meeting for the same purpose I suppose ? A.—Yes,

Q.—And any further ? A.—To the Preparative Meeting also.

Q.—For the same purpose ? A.—Yes.

Q.—Now do you know anything about the Women's Quarterly Meeting ? I suppose the same law applies to the women as to the men in your body ?

A.—Yes the same.

Q.—But they have separate Meetings have they ?

A.—They had separate business Meetings at that time.

Q.—That is the practice in your Socieity is it for women to hold separate business Meetings ?

A.—Yes, it had been in that Society ; some places it is not ; in some other Meetings it is not

22000

Q.—That was the practice in your section of the body ? A.—It was at that time.

Q.—Do you know whether this subject came before the Women's Meeting ? A.—I think it did.

Q.—And with what result, do you know ? A.—I think they didn't receive it as a body, only in part.

Q.—They refused to adopt it ? A.—In part.

Q.—The entry here is the subject of adopting the new Discipline having come before us, after a time of discussion this meeting is not united to adopt it ?

A.—I understand that to be the case, they only in part accepted it.

Q.—So that the Woman's Meeting didn't adopt it ?

A.—I think that they didn't conform to the order of the Yearly Meeting, the superior meeting, as I understand it, part of them.

22010

Q.—They took a different view you see from what you do, they thought that they were at liberty to consider it ?

A.—I don't think they thought so.

Q.—They seem to have thought so from their minute ?

A.—They acted so, but I don't know how they could think so.

Q.—I suppose you would give them the credit of believing that they acted from what they believed to be their rights, you are not ungallant enough to impute anything of that kind to them are you ?

A.—I don't think they believed it was their rights to do so.

Q.—Nevertheless that is what they did ?

A.—I understood they did, I never heard of the circumstances of setting up a superior meeting 22020 before.

Q.—Tell us where this movement to adopt the new Discipline originated ?

MR. BETHUNE :

The Defendants have not as they should have set up in their defence that they intended to dispute that the Discipline became law, and they have not set that up, and silence of the answer does not enable them to give evidence to show that there was a want of compliance with the regulations of the body.

MR. MACLENNAN :

Mr. Bethune has been occupying the whole day establishing this Discipline, and continues ;

Q.—Tell us where this movement for the new Discipline originated ?

22030

A.—Yes, if I remember aright the proposition from the Norwich Quarterly Meeting asking the Yearly Meeting to consider the advisability of receiving or adopting a new discipline, I think there is where it originated.

Q.—The proposal came from the Quarterly to the Yearly to consider the Discipline ?

A.—Yes, the advisability of a new discipline, I kon't know just how it was worded, whether "revise", "adopt" or "change"—something of the same meaning.

Q.—Do you know when that was ? A.—I don't remember the date.

Q.—'79 ? A.—Perhaps '79, I am not certain.

Q.—You say that the movement in favor of the new discipline began in Norwich ?

A.—I understand it did, yes.

22040

Q.—Then your Quarterly Meetings or other Meetings never had any opportunity of considering the propriety of adopting the discipline ?

A.—Previous to that, yes, we have copies of that discipline distributed among us a year previous so that we saw the discipline and knew what it was.

Q.—You never had an opportunity of considering whether it was proper to adopt it or not, your Monthly Meeting or your Quarterly Meeting ?

A.—Well, they had that to avail themselves of ; they had the discipline previous to that so that they might have.

Q.—It never came before them for the purpose of considering ?

A.—No. not officially in the Meeting, but still, nevertheless, they had had the book distributed 22050 among us.

Q.—Were you a delegate to the Meeting in '80 ?

A.—Yearly Meeting, yes—no : not certain ; the book will tell you better than myself ; I rather think I was.

Q.—There were from West Lake Pearl, Robinson, Haight, White and Bright, these were the delegates ?

A.—I would like just to say also that my memory is not good for dates and that I misquoted the date there in the Preparative Meeting.

Q.—There were these five delegates then were present at the Yearly Meeting in Pickering in '80, of which you were one ?

22060

A.—Probably all present ; yes, if they answered to their names they were all present.

Q.—You five were the persons appointed ? A.—Yes.

Q.—It doesn't say who were present, but at least five were appointed ?

A.—Yes, but some times we are not able to attend.

Q.—These five ? A.—Yes.

Q.—And you say that at that Meeting this discipline was adopted ? A.—Yes, in '80.

Q.—And I see that it appointed the 1st day January for it to come in force ? A.—Yes.

Q.—So that according to your view your section of the body, I mean the West Lake section, as apart from the Norwich section, were obliged to accept this new discipline simply because it was passed by the Yearly Meeting ?

22070

A.—Certainly.

Q.—They had no power to dissent nor to question the adoption of it ? A.—Not that I know of,

Q.—Although they had no opportunity whatever of saying whether they wanted it or didn't want it.

A.—All that availed themselves of the opportunity of going to the Meeting had everything to say.

Q.—Except you and the other delegates ?

A.—Members were not prohibited from that Meeting ; all members might go to that Meeting from any quarter ; all members have a voice there.

Q.—Busines voice ? A.—Yes.

Q.—What is the use of sending delegates there ? A.—To represent the interests of the Meeting. 22080

Q.—To represent whom ? A.—The Quarterly Meeting.

COURT :

Q.—And were instructions then given to the delegates at the Quarterly Meeting as to the stand they should take in regard to the new discipline ?

A.—Nothing.

Q.—You have got no instructions ? A.—No.

Q.—It hadn't been discussed in the Quarterly Meeting or in the Monthly Meeting before you went.

A.—Not since.

Q.—Only in Norwich ? A.—I presume it had in Norwich.

Q.—You say that for some time the defendants and those that adhered to them, used the building afterwards, and I believed they continued to use it up till then ? 22090

A.—Up to this present winter, December.

Q.—Up to Christmas ? A.—Probably thereabouts.

Q.—To Christmas day ? A.—Yes, somewhere about the 26th,

Q.—They held meetings there in the building as formerly ?

A.—Not as formerly, they held meetings there.

Q.—That is, they went and came at their pleasure there was no obstruction no opposition made to them until that time ?

A.—Nothing hindered them from going, they were permitted to go of course.

Q.—And they went and held their worship meetings there and their Preparative Meetings ? 22100

A.—I believe they did.

Q.—Until they were excluded by the party to which you belong ? A.—Yes.

Q.—The party to which you belong then closed the doors on them ? A.—Yes.

Q.—For the First time ? A.—Yes, I believe so.

Q.—Has any change been made lately in the conduct of your worship meetings and other meetings in regard to the sexes ?

A.—What sort of change are you asking for ?

Q.—Formerly, as I believe, there was in your meeting house a separate place for men and for women ?

A.—Yes, there was,

22110

Q.—How was it divided ? A.—A partition through the house,

Q.—Did the partition divide the house completely from top to bottom, from ceiling to floor ?

A.—Yes.

Q.—They were completely distinct apartments ? A.—Yes.

Q.—Was there a partition running from the desk where the person spoke, dividing it in two ?

A.—No.

Q.—There are two separate and distinct apartments from ceiling to floor ?

A.—Yes, only during the business Meetings, and the room is arranged that it can be closed only for business Meetings.

Q.—How was the practice in regard to worship Meetings ? What was the practice in regard to worship Meetings ?

22120

A.—Well they all worshipped together in both rooms, or in one room if the congregation was small.

Q.—The men and women mingled together, did they ? A.—The same room yes.

Q.—Did they sit together ? A.—They sit in the same room.

Q.—Or on different sides ? A.—Different sides mostly, generally speaking.

Q.—Different sides of the room ? A.—Yes.

Q.—Has any change been introduced in that respect ? A.—No, not in the Meetings of worship,

Q.—Any change in the Meetings of business ?

A.—Meetings of business now are in joint session ; men and women do the business part together.

Q.—When was that change made ?

22130

A.—The Monthly Meeting book will show you exactly when that was done, book X, it was the 16th of the 11th month, '82—16th November, '82.

Q.—And why was that done ?

A.—Well, it seemed best to do so, the discipline allows it, and it seemed best to hold them in joint session on account of our numbers and the strength it would be.

Q.—Did you ever know of that practice being followed before ?

A.—I have frequently heard of it but not in our body ; not here at West Lake but at other places,

Mr. Bethune objects that this is immaterial as nothing said about this in the book of discipline because each Monthly Meeting in matters not provided for in the book of discipline may do what they think right.

22140

COURT.—Objection is noted and the evidence is taken subject to the objection.

MR. MACLENNAN, continues :

Q.—In all your connection with the body did you ever know previously of that plan being adopted ?

A.—I say not in our particular Monthly Meeting, but in other places they do, and build meeting houses without that partition.

Q.—I am speaking now of the period before this separation, before the new discipline was adopted ?

A.—I think for some years it has been the practice.

Q.—Where ? A.—On the other side not here.

22150

Q.—By—? A.—Our Friends.

Q.—By the old orthodox body or by the new lights ?

A.—I can't answer as to that. probably they united in that, I am not certain.

Q.—Do you know anything about it ? A.—I don't know only as I hear.

Q.—Do you believe that it was practised by the Society in former times, what do you say about that, do you believe this was practiced in former times or is it a modern, quite a recent practice ?

A.—Of recent date I think.

Q.—It is a recent practice ? A.—I think so.

Q.—Do you remember a man by the name of Maclean ? A.—Yes.

Q.—When was that, I don't ask you the exact date ? A.—Perhaps 5 years ago.

22160

Q.—Where did he come from ?

A.—I am not certain what state he came from, somewhere in the United States.

Q.—What branch of the body did he belong to ? A.—Orthodox Friends, Society of Friends.

Q.—Did he belong to the old orthodox body? A.—I don't know that there is any difference.

Q.—Do you know whether he belonged to any particular section of the body or not?

A.—Nothing more than he belonged to the Society of Friends.

Q.—You don't know what section of the body he belonged to?

A.—He was certified here with a minute from the Friends.

Q.—Do you know what section of the body he belonged to?

A.—I don't know what Meeting he belonged to.

22170

Q.—Or what section? A.—Ohio, I think, but I am not certain.

Q.—You have told me already that the body in other places are divided into sections and you can't identify him as belonging to a particular section, whether he is a progressist or a new light?

A.—I have not seen him in five years.

Q.—I mean at that time? A.—I didn't know of any separation at that time.

Q.—Did he introduce there or use there any new practices while he was with you? A.—Yes,

Q.—What? A.—Song and hymn sometimes in his meetings.

MR. BETHUNE:

I raise the same objection to that; the discipline is silent as to it.

MR. MACLENNAN continues:

22180

Q.—Anything else?

A.—Really to answer that question, I am not certain about that, but I think the Friend that was with him led the Meetings principally, and there were several new things introduced at his Meetings, at his appointed Meetings.

Q.—That had never been seen before by any of you, so far as you know, in your 30 or 40 years connection with the Society?

A.—Yes.

Q.—What other things will you mention besides singing?

A.—I am not certain but there were some others, too previous to his coming, that did sing.

Q.—There was some person with him you say? A.—Yes.

22190

Q.—Who was that? A.—Radcliffe.

Q.—He and Radcliffe came together, did they? A.—Yes.

Q.—Well, what practices did they introduce?

A.—Well, besides singing in the Meeting they invited persons forward to a certain place in the Meeting house to be prayed for and with.

Q.—And that was a new practice ?

A.—That was rather new. I ain't certain whether I saw it before or not.

It was a new practice in your section ? A.—Yes it was.

MR. BETHUNE also objects on the same ground as before.

MR. MACLENNAN continues :

22200

Q.—Anything else ? A.—No, I don't know of anything specially new.

Q.—Did they preach ? A.—Yes, they preached.

Q.—Did they read the Scriptures ? A.—Yes, I think so.

Q.—In the Meeting ? A.—Yes.

Q.—And was that a new Meeting ?

A.—Well it is of recent date, but I don't remember that they were the first that introduced it ; I think not.

Q.—But that is of recent date ?

A.—In my time ; however I believe it is an ancient practice of Friends to do so, both sing and read.

Q.—You don't know ?

22210

A.—Only as I read. I think George Fox's book will explain that to you better than I can.

Q.—But in your experience since your childhood this was the first instance of it you knew ?

A.—Somewhere about that time was the first, yes.

Q.—Anything else ? A.—No, nothing to my remembrance now.

Q.—What is the practice in your body with regard to preaching ? Do persons preach at stated times ?

A.—No, unless they appoint a meeting, and they generally preach at that time of the appointment.

MR. GETHUNE :

That is provided for in the book of discipline.

MR. MACLENNAN continues :

22220

Q.—I am speaking of the practices that existed before these troubles came ; in your youth and early manhood was it the practice to have stated times for preaching ?

A.—We had stated times for meeting of worship.

Q.—But was it the practice to have stated times for preaching ? A.—No, not that I know of.

Q.—Did these two men preach at stated times ?

A.—I can' say that they did, not that I know of ; they were expected and generally, I think, did speak at their Meetings when they appointed Meetings,

Q.—They had appointed Meetings when they went and when they preached ? A.—Yes.

Q.—I believe it is your rule that nobody preaches or speaks in the Meeting unless he is moved by the Holy Spirit to do so,

22230

A.—That is the rule I believe.

Q.—That is an ancient rule isn't it ? A.—Yes.

Q.—Did these men follow that rule ?

A.—As far as I know they did, as far as I am able to judge.

Q.—I understand you to say they fixed the times for preaching ?

A.—No, they fixed the time for meeting.

Q.—Well for the purpose of preaching ? A.—For the purpose of worship.

Q.—And Preaching ? A.—I don't know whether they were going to preach or not.

Q.—You know that meetings were called, fixed for that very purpose don't you, for preaching ?

A.—No, I don't know it in that light.

22240

Q.—Well, was there any other practice that these men followed that differed from the main practice ?

A.—No, I don't know that there was.

Q.—You don't remember any other ? A.—No.

Q.—Did any body resist and oppose these practices that you knew of ? Any of the Friends ?

A.—Well the house was closed against them by certain individuals.

Q.—Against whom ? A.—Against those men.

Q.—Individuals belonging to your body ? A.—Yes.

Q.—Were some of the members of your body favorable to these things to these men ? A.—O, Yes.

Q.—Some of the members of your body were favorable to them ?

22250

A.—They were duly certified from the Meetings from which they came and they were received in our meetings ; all knew them alike.

Q.—And some of your body were in favor of allowing these practices ? A.— I don't know.

Q.—And others were opposed to it ? A.—They permitted it and met with them.

Q.—Others were opposed to it ? A.—Others didn't unite with it.

Q.—The persons who favored these practices were they the plaintiffs or some of them that favored these two men and their practices ?

A.—Yes.

Q.—The plaintiffs favored then these new practices ?

A.—I don't understand just what they mean ; they didn't practice it themselves since, and they 22260 permitted it at that time, yes ; it is not followed by the West Lake Monthly Meeting, however, since that.

Q.—Do you know a man named Blackledge ? A.—Yes.

Q.—What was he ? A.—Minister.

Q.—Did he come from abroad ? A.—He did, yes.

Q.—Did he practice any new proceedings ? A.—Yes. the same as Maclean.

Q.—And were your Friends divided about him ?

A.—Part of our Friends didn't attend his meetings.

Q.—Which part, "my" Friends or "your" Friends ? A.—A considerable share of them.

Q.—Most of "my" Friends refused to attend his Meetings, and who did attend his Meetings ? 22270

A.—Well, the meetings were largely attended by all classes in the village.

Q.—I am speaking of the village, no, the Friends ?

A.—Well I attended many of them myself,

Q.—And the Plaintiffs ? A.—Yes.

Q.—But he was favored and supported by the Plaintiffs ?

A.—O yes, we didn't turn him away because of his—

Q.—And you allowed him to use these practices in the church ? A.—Yes.

Q.—In the Meeting House ? A.—Yes.

Q.—Did some of the Defendants oppose that, object to that?

A.—I didn't hear any of them object to it myself.

22280

Q.—Do you know of any of them ?

A.—They didn't put in their appearance, so I supposed they objected to it, yes, no doubt of it, however there was no objection made to me.

Q.—And Canworthy, who was he ? A.—He was a minister belonging to the Society.

Q.—When was he there ? A.—The book probably will show the date.

Q.—About when, without taking time to look up the book ?

A.—Previous to the separation I believe.

Q.—And did he practice any of these new matters ?

A.—I think he done much the same as the others—I think so.

Q.—And were his proceedings objected to by any body ?

22290

A.—I never heard them objected to—more than non-attendance at the meetings of those Friends.

Q.—Those who objected to Maclean and the others who objected to his proceedings also ?

A.—In that way they objected to it, yes, by staying away,

Q.—And who was it favored Mr. Canworthy's proceedings ?

A.—The West Lake Monthly Meeting allowed him to hold his meetings until he was through.

Q.—I am speaking of individuals, were those the Plaintiffs and those that supported them ?

A.—Well all who didn't attend of course favored him I suppose

Q.—I want you to draw the line as near as you can—it was the Plaintiffs party I suppose who favored him, and the Defendants party who disapproved of him ?

A.—That would be the understanding, yes.

22390

Q.—Can you mention some of the practices that Canworthy followed ?

A.—I think the very same as Maclean and Blackledge, I think they were the same.

Q.—And he did that with the approval of the Plaintiffs and those who are on their side ?

A.—Yes, I suppose you may call it approval, the house was not closed against them, however, they were not objected to, they were not closed out.

Q.—Of course they could not get into the building without somebodyelse's permission, and I want to know who gave them that permission ?

A.—The meeting gave them the permission, opened the house to them, the West Lake Meeting, yes.

Q.—There was no resolution I suppose on the subject ? A.—No,

Q.—Now I want to know who the individuals were, I suppose it was the Plaintiffs party ? 22400

A.—It is customary when Friends come among us to certify from and they have the privilege of our meeting house.

Q.—You yourself. I suppose approved being an officer ? A.—Yes I was satisfied.

Q.—And the other Plaintiffs who are here I suppose ? A.—I suppose.

Q.—And there was a man named Scott, when was he there ?

A.—He has been here various times, different times,

Q.—Did he practice any of these new things ? A.—I think he did something of it; yes.

Q.—Something the same as Maclean ?

A.—Yes, something same, I think he didn't the last time he was here, but other times subsequent I think he did ; I believe he didn't the last time if I remember. 22410

Q.—About when was that ? A.—Inside of a year, perhaps.

Q.—Was he here before the separation ? A.—Yes.

Q.—Was he allowed to go into the building ? A.—Yes.

Q.—By whom ? Yourself and those who were acting with you, I suppose ?

A.—No, not specially, by all the Friends— by all belonging to the meeting.

Q.—Was it with the approval of the defendants ? A.—Yes, as far as I know of it was.

Q.—With their approval ? A.—Yes, so far as I know,

Q.—Did they assent ? A.—Yes.

Q.—They attended his Meetings ? A.—I think they did.

Q.—And as far as as you know they approved, don't you know that they disapproved strongly of 22420 these practices ?

A.—Since, but not at that time ; I didn't hear nothing of it at the time.

Q.—How long ago was that that Scott was there ? A.—Perhaps 7 years ago.

Q.—But his practices were similar to those of Maclean ? A.—They were I believe.

Q.—L. Bowerman, who was he ? Was there a minister of that name ?

A.—No, not that I remember of.

Q.—Is Bowerman a minister, Charles Gideon ?

A.—No he is not a minister, not recorded a minister I believe.

Q.—Is he a member ? A.—Yes.

Q.—A member of the West Lake Monthly ? A.—Yes,

22430

Q.—And does he preach sometimes ? A.—He does, yes.

Q.—Does that make him a minister ? A.—Not a recorded minister, it don't.

Q.—The elders I suppose preach too, do they ? A.—Some of them do.

Q.—That is when they are moved ?

A.—Any one in the Meeting that is moved has a liberty and a right to speak at any time as far as I know.

Q.—Have you heard Bowerman say anything with regard to preaching that seemed new and unusual ?

A.—I don't know that I have ; nothing—no.

Q.—You don't know that you have ? A.—No, nothing new.

22440

Q.—Does your party approve of Bowerman and his preaching ?

A.—So far as I know they do ; there is no complaint made against them—no formal complaint.

Q.—Does he preach often ? A.—He does very generally speak.

C O U R T :

Q.—What is the manner of disapproving ? How do you show your disapproval of what is talked or preached ? Is it by staying away from the meeting or admonishing the preacher not to speak in that way.

A.—Probably it would be by admonishing the usual custom, the proper custom would be.

Q.—Would that be at the time of the Meeting or at a private interview ?

A.—In a private interview.

22450

Q.—Were you aware at any time of some of our Friends going to the Meeting House, and when they found any of these men, refraining from going in ?

A.—Well I think I know of one Friend who came there and went under the shed instead of coming into the Meeting House during the Meeting.

Q.—Why. A.—I suppose because of disapproval ; I don't know why.

Q.—What proceeding was going on or who was there of whom he disapproved.

A.—Well I don't remember to tell who—at that time.

BY MR. CLUTE—

Q.—Explain how these people who don't belong to your Meeting, how they come among you ? Suppose for instance you were sending a visitor from here, or a person liberated—as the term is—to 22460 visit your Friends in New York State ? What is the practice ? How do you do that ?

A.—In the first place his meeting liberates him to come, if he is a member in good standing in that Society ; they liberate him to come and labor with us or among us, and if he bears a certificate showing the Clerks and Correspondents of that Meeting, all legal and right, he is received in our meeting and allowed to hold meetings,

Q.—That is he comes as a member of one of the Meetings in New York State say, and, presenting proper credentials, you recognize him as one of the Friends ?

A.—Yes, if it is signed by the correspondent and clerks of that meeting.

Q.—And coming in that way what right has he ?

A.—He has a right to hold his Meetings in his own order and way. 22470

Q.—Did those people that came here, Mablean for instance, Radcliffe, Blackledge and Canworthy and Scott, when they came here, what did they bring with them ?

A.—They brought these credentials that I refer to, well, signed so far as we knew and were received and recorded in our books, as they will show.

Q.—Have you ever known an instance where a person presenting a credential of that kind was not permitted to hold Meetings or recognized in the first instance ?

A.—Not in our Meetings.

Q.—Isn't that one of the ways in which the Friends throughout the world, not simply in Canada, but in the United States and England, keep up their official unity, by sending credentials that way as well as by epistolary correspondence at their Yearly Meetings. 22480

A.—It is, yes.

Q.—They are recognized and recognize each other in that way ? A.—Yes.

Q.—Well, then, was anything done in regard to these gentlemen, so far as you know, different from the ordinary and orderly usage and practices of the Friends in allowing them to preach or teach ?

A.—In regard to which one ?

Q.—I mean in regard to any of them ; was permission of them to hold Meetings anything out of the usual custom of the Friends ?

A.—No, nothing out of the usual order,

Q.—Do you know that these questions that they introduced were not followed by the meeting after they left ? 22490

A.—They were not, no.

Q.—Then these practices that you have referred to were only in those meetings that were held by these persons ?

A.—In their particular meetings,

Q.—You were under the impression without referring to the minutes that the matter of appointment of trustees didn't come up from the Preparative Meeting, will you just look at the minute and the page I refer to in 'Y,' and do you find the minute there referring to the matter ?

A.—I do, that this meeting wished to call the attention of members to the requirements on page 119 of the discipline in reference to trustees and records of papers as required by the discipline, I had forgotten that, that slipped my memory. 22500

Q.—Are you not one of the persons who carried business up to the Preparative Meeting ?

A.—I was and I forgot to mention it.

Q.—Do you know whether as matter of fact that business was brought before the Monthly Meeting

A.—It did come to the Monthly Meeting of course, that is the way it came,

Q.—It came up in this way ? A.—I don't remember it myself.

Q.—Do you know whether the matter was discussed from time to time before definite action was taken ?

A.—I just indistinctly remember it was talked of at different times and finally the trustees were appointed at that time on account of the infirmness and age of the individuals, one of them perhaps 80 or two of them over 80 years old, perhaps nearly 90, and one of the Friends, I may call to mind, had 22510 requested that he should be relieved from the cares of the Church, and with that view he was relieved.

Q.—You mentioned already Mr. Valentine, whom you say was not a member ?

A.—He had been a member.

Q.—Another one was Vincent Bowerman, how old was he ? A.—I presume 90 years old.

Q.—Now, were you present at the Preparative Meeting held on 10th February, '81 ?

A.—I think not.

Q.—I refer to the occasion after that the defendants ceased to meet with you when the defendants first intimated the intention of refusing to meet with you ?

A.—No, I wasn't there ; I wasn't present.

Q.—Has there been any change up to the present time since '80 in regard to the time of the defendants holding the Monthly Meeting ? 22520

A.—No.

Q.—And the Preparative Meeting ?

A.—We used the hour that was established years ago ; we followed the same hour in our Meetings.

Q.—In the Monthly Meeting ?

A.—Throughout the Monthly Meeting except there might have been a request to change the hour since ; I am not certain about that.

Q.—By what Meeting is that authorized ?

A.—The Monthly Meeting authorizes it, authorizes the Preparative.

Q.—What Meeting is it authorizes the time of holding the Monthly Meeting ? 22530

A.—The Quarterly Meeting regulates the hour,

Q.—So that the Plaintiffs Quarterly Preparative had been appointed as held by the Quarterly Meeting and the Monthly Meeting down to the present time ?

A.—Yes.

Q.—You speak of the defendants occupying the premises or holding their Meetings, now did they hold their meetings at the usual hour for Preparative Meeting and Monthly Meeting respectively, or was it at other and different hours ?

A.—At different hours I believe ; in fact they don't hold it at our hour for they are not there ; on Sabbath they hold it in the afternoon and mid-week Meetings the day previous to the usual time.

COURT.—When did they begin to branch off in that way ? 22540

A.—Somewhere about the time of February, '81—somewhere about that time, or a little latter, perhaps.

Q.—Do you know whether or not there was any permission given to the Monthly, by the Monthly West Lake Meeting, as a Monthly Meeting, authorizing the defendants to hold their Preparative Meeting at a different hour or authorizing them to use the Meeting House ?

A.—Never was asked for in my remembrance and consequently there was no liberty.

Q.—I turn to the minute book of the West Lake Meeting, pages 92 and 93 of "X" and on page 92 there is this minute :—"Bloomfield Preparative requests this Meeting to consider the propriety of allowing separatists to hold their Meeting in our meeting house at Bloomfield, and after deliberate discussion appoint Dorland and others to take take the subject into consideration and report next month 22550 their judgment in this case—that was at one of the regular Monthly Meetings ?

A.—Yes.

Q.—Then the next Meeting I find.—“The committee appointed last month to consider the propriety of allowing separatists to hold meetings in our Meeting House, now report as their judgment that the house should be closed against them and the majority of this meeting agree with this report, and also agree that it should be closed immediately, and appoint Robert H. Saylor, Abram B. Saylor and John H. Cronk to take possession of the keys and have full charge and control of the house, property connected with it, and take such steps as may be necessary for the same, on behalf of the Monthly Meeting and report monthly. The persons named are they members of the Monthly Meeting ?

A.—Yes, they are.

22560

Q.—Were you present on either of the occasions when the defendants undertook by force to take possession of the building ?

A.—No, I was not present.

Q.—Now, speaking of the Meetings that are generally held separately—the Men’s and the Women’s—the Women’s Meeting in their business meeting have they any control over the temporal affairs as to chattels and that sort of thing relating to land ?

A.—They have a voice in any matters, so far as I know.

Q.—How do they show that voice in a separate meeting or in your joint meeting ?

A.—In regard to chattels ?

Q.—Yes, in regard to any temporal matter ?

22570

A.—As near as my memory serves me the men always have done the matter themselves in regard to chattels.

Q.—Then, according to the usage of the Church, it is not men that do usually and alone transact that business.

A.—O yes, that part, I don’t take back my other statement that they have an equal right to speak at any time that they wish on any business that is brought before them.

Q.—Well the Women’s Meeting did afterwards adopt the discipline, did they, the Womens’ Quarterly Meeting ?

A.—Yes they did, those who were not insubordinate, they stayed and adopted the discipline I understand.

22580

Q.—On the same day ? A.—On the same day that the men did, yes.

Q.—Is that “Z” page 164, the minute book prior to the one already proven of the West Lake Monthly Meeting ?

A.—Yes.

Q.—And this “A. 1,” page 174 is a still older minute book taking it back to 1828 is it not ?

A.—Yes, Meeting of West Lake.

BY MR. MACLENNAN :

Q.—When a minister comes to your body and it is unacceptable, how is that manifested, he comes to you with credentials you say ?

A.—I don't know that such a thing ever occurred in our Meeting, I never new a circumstance like 22590 it since my remembrance—coming unaccepted.

Q.—What is done—what is a return minute ?

A.—A return minute is a minute stating that they were in attendance and usually acceptable in attendance, that is sent back to the Meeting.

Q.—Referring to what ? A.—To their attendance with us.

Q.—That is to say when a minister comes to you from the body and he has ministered to you acceptably you give him a return minute ?

A.—A return minute to take home or to send home with him,

Q.—Do you know whether Maclean got a return minute ?

A.—I think he did ; I am not certain ; I don't know but I believe he did , the book will show 22600 you I think whether he did or not, I have no doubt he did.

Q.—If he did the book will show it ? A.—I have no doubt he did get it,

Q.—How did he get it, seeing that our Friends were opposed to his practices ?

A.—Well, the Monthly Meeting was not opposed to his practices,

Q.—But our Friends you say were and if we got it then it was given to him by your Friends ?

A.—Certainly it was given to him by the Monthly Meeting.

Q.—Your Friends were in the majority, were they ? We didn't know ourselves as your Friends, The Monthly Meeting gave him a return minute no doubt.

Q.—You don't know ? A.—I can't remember anything.

Q.—Nor these other men who introduce new practices ? A.—They all had return minutes as I 22610 believe.

Q.—Do you know anything about it ? A.—Yes.

Q.—So that you can speak to us now and say which of them got return minute ? Can you name one that you are able to say got a return minute ?

A.—They all got returning minutes.

Q.—You swear that you know that to be so ?

A.—I will tell you how I know it : because if they hadn't I would have remembered it.

Q.—It is sufficient to say that you do know it and that you swear it ?

A.—I say that I believe they all got returning minutes to take home with them.

Q.—Now this matter of the trustees was brought up as the Preparative Meeting on 17th Decem- 22620
ber, '79, when was the next meeting after that ? The next business meeting ?

A.—A month from that time.

Q.—I suppose it would be brought up at that meeting—at the next meeting ?

A.—The Monthly Meeting would be the week following.

Q.—It would be brought up at the Meeting of the week following wouldn't it ? A.—Yes.

Q.—And if it was opposed successfully there would be nothing in the minutes about it ?

A.—If it was not entertained the minute would not show it.

Q.—Do you believe it was brought up at the next meeting in pursuance of that entry ?

A.—In Monthly Meeting.

Q.—17th December the Preparative Meeting directed that the matter should be brought before the 22630
Monthly ? A.—Yes.

Q.—It would be brought before the Monthly Meeting the following week ? A.—Yes.

Q.—Why is it there is no entry in the Monthly Meeting about it ? A.—I should suppose there
was, I don't know, probably there is.

Q.—Do you mean that the trustees were removed in the following week ? A.—Considered, or
perhaps it was carried over until another month, I don't remember as to the circumstances.

Q.—You didn't remember anything about it before and I suppose you don't remember any more
about it now ? A.—I don't remember distinctly.

Q.—The thing was not done till long afterwards ? A.—I think I heard about it two or three
times before it was done. 22640

Q.—It was not done till October, 11 months afterwards ? A.—I don't remember as to that, not
distinctly.

Q.—Now do you mean to say it came before the Monthly Meeting in October by reason of its being
considered by the Preparative Meeting in December, a year before ? A.—It should come before the
Monthly Meeting the next week, no doubt it did.

Q.—And if it was not agreed to it would drop and there would be no entry of it ? A.—No.

Q.—You say two of these gentlemen were 90 years old or nearly so ? A.—Yes.

Q.—Which of them ? A.—Vincent Bowerman is one of them and Edward Cronk is a very old man.

Q.—Is he nearly 90 years of age ? A.—I don't know how near, I presume over 80, he isn't living at present. 22650

Q.—I am told he wasn't 80 when he died ? A.—Well, I am guessing at it, he has been infirm and feeble for years and hasn't been out much at all to attend to business for years.

Q.—And with regard to Mr. Valentine you say he was not a member then ? A.—I believe not.

Q.—He had been a member some years before ? A.—Yes,

Q.—And what happened ? A.—He was disowned for misconduct.

Q.—And when was he disowned ? A.—I will show you by the book, I don't remember the date.

Q.—Was he restored afterwards ? A.—No not that I know of, not by the books.

Q.—Was his disownment cancelled ? A.—The Monthly Meeting disowned him, yes,

Q.—Did they cancel that at any time afterwards ? A.—No, he appealed to the Quarterly Meeting. 22660

Q.—And what did the Quarterly Meeting do ? A.—I believe they reinstated him.

Q.—But that was not binding on your Monthly Meeting was it when they reinstated him ? A.—If we had received it he would have.

Q.—Received what ? A.—Information that he was received,

Q.—And when did you receive the information ? A.—I don't think we ever did,

Q.—Were you a delegate at the Quarterly ? A.—I don't remember.

Q.—You usually were ? A.—Very generally.

Q.—Now do you know when the Quarterly reinstated him ? A.—Well, I don't remember exactly.

Q.—Was it before he was removed from being a trustee ? A.—I don't know that, I would refer to the book. 22670

Q.—I read from the book, 6th month, '80, that is month of June, '80, the appeal comes before us from last meeting to this again claiming our attention, Meeting concluded to adopt report of committee and the clerk was informed beforehand of the same,—do you know what that referred to ? "report of the committee having been again considered," reading from the quarterly minute book "A.I." ? A.—No, I have never seen that ; I think I have never seen that, it is no doubt true all the same.

Q.—The date of it is 6th day of June, '80 ? A.—Yes.

Q.—That was a report of the committee that he should be reinstated ? You know he was reinstated ? A.—No, I don't say so ; the representatives of that Meeting should have brought it down.

Q.—You told me that he was reinstated ? A.—I heard he was reinstated; I did and it is no doubt true too.

22680

Q.—And I direct your attention there to the month of June, '80, and we will bring witnesses to prove what that was. Didn't you know in October, '80 that he had been reinstated ? A.—No, I didn't know it.

Q.—You hadn't heard of it ? A.—I don't remember what I heard of it.

Q.—I ask you whether you hadn't heard of it ? A.—I think I had heard of it, but I don't know it. I think I had heard it ; no doubt I had heard it.

Q.—Wasn't it because he was not a member you put him out ? A.— We didn't consider him a member, no.

Q.—Although he had been reinstated by the Quarterly Meeting ? A.—No, we didn't consider him a member.

22690

Q.—Were you there on that occasion ? Were you there at that Meeting ? A.—I am not certain, perhaps I was.

COURT :

Q.—What was the proper place for notifying that reinstatement ? A.—The representatives of that body who were appointed to attend that should have brought the business back to the Monthly Meeting, and then we would have been informed of his being retained a member.

Q.—Was Mr. Stephen White a representative of the Monthly meeting ? A.—I don't remember ; probably I might have been,

Q.—Was it Stephen White's duty to bring that intelligence back to the Monthly Meeting ? A.—If the clerk had furnished it, the clerk should have furnished that information.

22700

Q.—Should have furnished that information to you ? A.—Yes and we carry it down.

Q.—It was a matter that concerned your Monthly Meeting wasn't it ? A.—Yes.

Q.—It was your duty as a delegate to ask the clerk, it was necessary wasn't it ? A.—No.

Q.—Wasn't it part of your duty to look after the affairs of the Monthly ? A.—Yes it was.

Q.—Wasn't that what you were there for ? A.—Yes.

Q.—Wasn't it your duty to ask the clerk for the necessary certificate to do justice to your brethren ? A.—He should have furnished it ; it is not usual to ask it ; I never did it ; I have never done it ; he copies the minutes and furnishes the information ; and sends it down.

Q.—And send it down how ? A.—He should send it down by the representative.

Q.—By your hands ? A.—Yes, but he failed to do it.

22710

COURT :

Q.—Did that vitiate the whole proceedings then so that when it came up in November you considered he was not a member because no report had been furnished to you by the officers of the Quarterly board ? A.—Yes, we didn't know him as a member at our Meeting.

Q.—You considered because the report hadn't been furnished that he had not been reinstated ? A.—Certainly the Monthly Meeting had not been informed of it.

Q.—Did you leave the Meeting under the impression that he hadn't been reinstated ? A.—No.

Q.—In the Monthly Meeting when Mr. Valentine was removed you were present ? A.—When he was removed ?

Q.—Yes, and did you lead the meeting there to believe that he hadn't been reinstated or did you tell them what the Quarterly had done ? A.—No, I said nothing about it. 22720

Q.—I think you said that there was a separation between the two parties in '80 about the time soon after the Yearly Meeting ? A.—Yes.

Q.—I suppose that was on account of the discipline was it ? A.—I hardly know what it was on account of

Q.—What did you suppose ? A.—I suppose jealousy as much as anything.

Q.—Does such a thing enter the breast of a Friend as jealousy ? A.—O, yes, I presume there has.

Q.—You think it was jealousy then ; do you think the discipline had anything to do with it ? A.—I am only supposing, I may not be right.

Q.—Do you think discipline had anything to do with it ? A.—No, I don't know as it had. 22790

Q.—Do you think so ? I am not asking about your knowledge ? A.—I am unable to say what really did cause it ; for my part I don't know.

Q.—Then they held their Meetings there separate from that time in '80 till 16th December, '82, when this resolution was passed, referring it to a committee ? A.—Yes, they held separate Meetings.

Q.—At different hours ? A.—Yes.

Q.—That I suppose was for peace sake ? A.—It suited them best no doubt.

Q.—You said, speaking about the women, that women have the same voice as men I believe in the temporal matters of the church ? A.—They are not excluded from a voice,

Q.—Would you say they have the same voice in business matters as men haven't they ? A.—Why yes, in some things they have, perhaps in regard to title they have never. 22740

Q.—You told us you never knew any dealing with titles except the one ? A.—Yes.

Q.—In that matter they had no voice, they didn't pass upon these trustees at all ? A.—No, the Meeting at that time was in separate session.

Q.—The old trustees were removed and the new appointed at a men's Meeting and the Women didn't pass upon that subject at all ? A.—I don't think they did.

Q.—A woman is the clerk of your present business Meeting isn't she ? A.—Yes.

Q.—And you are only the deputy ? A.—That is all.

Mr. Bethune here puts in a further exhibit "Z" showing how the new trustees were appointed, referring to 20th April, '37, 19th March, '63, and 18 September, '34

Catharine Saylor sworn for plaintiffs, testified as follows :

22750

BY MR. CLUTE :

Q.—You are a member of the Society called Friends ? A.—Yes.

Q.—Where do you reside ? A.—Bloomfield.

Q.—How long have you resided there ? A.—Over 25 years.

Q.—What position do you fill now with reference to that Society—what official position ? A.—I am a minister and clerk of the Preparative Meeting.

Q.—Clerk of the Bloomfield Preparative Meeting ? A.—Of the Bloomfield Preparative Meeting.

Q.—How long have you been clerk of the Bloomfield Preparative Meeting ? A.—9 years.

Q.—I wish to call your attention to the Preparative Meeting that was held on the 10th February, '81 ? A.—I was there

22760

Q.—Tell us what took place at that Meeting ? A.—As near as I can—I was at that Meeting ; our business had gone through, both the Men and Women's Meeting, and the Women's business Meeting work had gone through and the Meeting of business had gone through, and the Meeting of worship had gone through. I had the adjournment ready written and stood up to read it, as our dear Friend, Eliza Varney, rose up and she said as they are now expected to separate she wanted to know what hours on the first day that they could hold their Meeting that would not interfere with ours, as ours was held in the forenoon at 11 o'clock and the pastoral Meeting at half past three; I said to her that I didn't know as we had the right to give her the house, but if we had I should suppose the hours of 1 or 2 would be likely or half past one, but I says we have no right to give you the house, and I heard the men's Meeting moving and I wrote on a slip of paper before I took my seat that the Friends wished to separate, and sent it into my husband, as he is clerk of the Preparative Meeting and as I done that she said, I will go in myself : so she went in herself and while she was going in I read the adjournment. Our Meeting was then entirely closed. The men quieted down. She went in and stated the same I suppose before them. 22770

Q.—Did you go in with her ? A.—I didn't and just as she said before them what they calculated to do that day some Friend came and opened the shutters and we were all together.

Q.—They opened the division between the men's and the women's side ? A.—Yes, we done our business then separate and then she came back in our room. I went and sat opposite my husband in the men's Meeting at the table where he sat as clerk, I sat right in front of him and they commenced talking in regard to the hour, and they didn't seem to make anything at it, some said one thing and

some another, and it seemed to a kind of end there and then they began to talk about caretakers, They 22780 wanted caretaker and my husband said, no they had one caretaker and they couldn't have more than one, and after that a little they began to talk about having the Meeting House for so long. Joseph Blackledge was there, a minister in the Meeting. He attended that Meeting and he said couldn't we let them have the House for three months and my husband spoke and said we could do it as we had done. They had had the use of the House—we had kept fires and kept the House going and we could do it as well as we had. "He said, I have no unity with separations" and I said "I hadn't neither and I had no such a thought as theirs of separating" and several of our members spoke the same thing and it a sort of ended there in that respect and then some of our Friends began to talk about different things about separating, and at last our Friend, Wm. Valentine, rose up and he says, "Friends, now we have separated I want you to understand Friends we are two separate distinct bodies, as separate as the 22790 Methodist, Presbyterian or Church of England, and I want you to beware of this he says", then he said some other few things and his wife rose up, "Beware Friends I want you to understand we have separated I want you to beware of the mixture ; we want nothing to do with you or you with us ; I want you to remember we are two separate bodies." Matilda Branscomb then rose up and she says, "Friends I want you to remember we have separated and we never, if this is the last time that we ever expect to meet with you ; it is not so much we have got against you, but it is telling what the Lord has done for for you, praising the Lord so much, we can't worship with you." Those are just the very words as near as I can remember, by that they commenced to go out. Gilbert Jones and his wife had gone home and they rest of us came out and went home and these other Friends stayed and what they done I can't tell you but they stayed and afterwards for the whole day they set up a Preparative Meeting of their own 22800 and held there. They didn't ask for the House on a week day at all, and they held their Meeting the next 4th day at 10 o'clock.

Q.—That is on Wednesday ? A.—Yes and our Meeting was at 10 o'clock on Thursday, but our first day Meeting hadn't been changed yet, they were then at 11 o'clock.

Q.—This was in the Preparative Meeting ? A.—Yes.

Q.—Up to this time they had met with you ? A.—No separation and I never left them so well in my life as I did the day they separated and we had no thought of a separation, and our dear Friend Elijah Varney will say the same that I do.

Q.—Then after that day did they meet with you at the regular hour and place ? A.—Never again from that day to this.

Q.—How were your Meetings continued ? A.—Our meetings were continued just the same 22810 they had always been before.

Q.—The same hour ? A.—The same hour, the same day, all the same time, just as they had been.

Q.—What time did they hold their meetings ? A.—On the 4th day at 11 o'clock, and on the 1st day at 2 o'clock.

Q.—As you are holding yours ? A.—On the 1st day at 11 o'clock and then, now, they are changed to 10 by order of the Yearly Meeting, and at 10 o'clock on the 5th day at the usual time.

Q.—Now, by what authority do you hold your Meetings, I mean at any particular hour, by whom was the hour fixed ? Fixed by the Yearly Meeting.

Q.—You have always held your Meetings ? A.—At that time.

Q.—Whereas they have ignored those Meetings and held their Meetings ? A.—Held their meetings different. 22820

Q.—After this occasion in your Monthly Meeting have the Defendants or their Friends met with you in your Monthly Meeting ? A.—No not at all, and I have never attended one of theirs, because they said they didn't want to have anything to do with us, nor we with them.

Q.—Did you continue to hold your Monthly Meetings at the usual time ? A.—Just the same as we always had, at the same hour.

Q.—When did they hold their Monthly Meetings ? A.—Wednesday, the 4th day at 10 o'clock.

Q.—When did you hold yours ? A.—Thursday at 10 o'clock.

Q.—And so in the Quarterly Meetings which were held after that, have they met with you in your Quarterly Meetings ? A.—No. 22830

Q.—Have you held Quarterly ? At what time ? A.—Just the same the hour has been changed at 10 o'clock the last 4 Months Meetings.

Q.—Changed by what authority ? A.—By the Yearly Meeting.

Q.—So that in fact from that 10th February they have ceased to be with you at all in any of your Meetings ? A.—Yes, ceased to be with us or wanting to have anything to do with us up to this present moment.

Q.—Could you tell me what proportion would you say of the Friends of the Bloomfield Preparative Meeting are with you, were with you at the time of the separation, and what proportion went with them ? A.—I should think about two thirds stayed with us altogether as near as I can tell.

Q.—Do you happen to know how many there are belonging to this Society of Friends in the Yearly Meeting that are connected with it I mean as a body ? A.—I couldn't exactly tell the exact number, admitted here to be 1500 or 1600. 22840

Q.—All of the Friends before the separation ? A.—Yes.

Q.—Do you know how many of the Friends that belong to the Defendants party, not here only, but throughout Ontario or Canada ? A.—I don't know exactly how many there is.

Q.—Do you know whether about 100 ? A.—I shouldn't think it was more than that ; I couldn't say exactly because I don't know.

Q.—Going back for a moment to this Preparative Meeting you told us of, do you know whether or

not the men's Meeting had closed before this desultory conversation took place ? A.—Oh, Yes it had,

Q.—So that both Meetings were in fact closed for that day ? A.—Both Meetings were closed, yes. 22850

Q.—Do you know of your own knowledge whether the defendants and their Friends did meet in that Meeting House at different days and hours after that ? A.—Yes they did.

Q.—You know that they did ? A.—Yes.

Q.—And were you present at the time that action was taken in the Monthly Meeting with respect to closing the House against them ? A.—I was not, that was held at Wellington and sickness kept me here.

Q.—Were you in fact present after that action had been taken when there was any disturbance in the Meeting in 24th December I think ? A.—I don't really understand that question whether you mean whether they have met with us and there was disturbance or our own Friends ?

Q.—After the Meeting house had been closed and they came and took forcible possession, did you 22860 see anything of that ? A.—No, I was not able to get to the Meeting during that day.

BY MR. MACLENNAN :

Q.—Are you a minister ? A.—Yes.

Q.—How long have you been clerk ? A.—I have been clerk of the Preparative Meeting 9 years.

Q.—You say that the hours of meeting, your hour of Meeting, were fixed by the Yearly Meeting ? A.—Yes.

Q.—When was that ? A.—I can't just remember the time it was changed, it tells in the books when it was changed—in the minutes.

Q.—What was the hour ? A.—Eleven before it was changed to 10 on the first day and on the week day. 22870

Q.—How did the Yearly Meeting do that ? A.—It was spoken of before our Preparative Meeting, and from that to the Monthly Meeting, and from that to the Quarterly Meeting and from that to the Yearly.

Q.—It was proposed by your Preparative Meeting and then went up regularly ? A.—Yes.

Q.—Requesting a — ? A.—Requesting a change of the hour,

Q.—And the change was made ? A.—Yes.

Q.—About how long ago do you suppose ? A.—It would be impossible for me to remember ; it is in the minutes ; I couldn't tell exactly.

Q.—You don't remember ? A.—No, I couldn't just remember the hour, but I think in '81 or '80 the hour was changed if I am not mistaken. Before that our other Meetings were changed—the Meet- 22880 ings for worship.

Q.—Changed to 10 o'clock that had formerly been at 11 ? A.—Yes.

Q.—And that is the way you think it was done ? A.—O, I know it was.

Q.—Why was it grat proposed at the Preparative Meeting and then sent up in the way you describe ? A.—Because our Friends thought best to have the hour changed.

Q.—Wouldn't the Yearly Meeting do it without all that ? A.—No, not without it's going its regular course.

Q.—They couldn't do it ? A.—No.

Q.—Would you be surprised to learn that it was not done in that way by the discipline ? A.—Perhaps the discipline says so ; I don't know ; I don't just remember.

22890

Q.—At page 40 of the Discipline Meetings for public worship are held the first day at 10 o'clock, a.m., and 4 p.m. ? A.—I can account for the 4 o'clock in the afternoon as the Separatists had their Meeting at 2 o'clock and we had ours at half-past three, and then we changed it to four.

Q.—Then you were under a mistake in supposing it was done in the way you have described ? A.—This pastoral Meeting was not appointed by the Yearly Meeting, it is another Meeting altogether.

I speak of your Monthly Meetings ? A.—They were all held at 10 o'clock, and changed by the Yearly Meeting.

Q.—The Meetings for public worship ? A.—Yes.

Q.—Doesn't that mean Monthly Meetings ? I think it is Yearly Meetings that is. I think that is the Yearly Meeting.

22900

Q.—Meetings for public worship are held on Tuesday at 10 o'clock a. m., and 4 o'clock p. m., you think this is the Yearly Meeting ? A.—I think so.

Q.—Now is it in your monthly meeting alone, that there are differences ? do you know whether there are any differences in other monthly meetings ?

A.—We have differences in our mouthly meeting.

Q.—Do you know whether there are parties in the other ? A.—I don't know.

Q.—Have you heard of such a thing ?

WITNESS.—Of difference in other yearly meetings ?

Q.—Yes, you undertook to tell us how many persons belonged to my side, my friends ; you say only about 100 ?

22910

A.—I said I could'nt exactly tell : I would'nt like to say for I don't know.

Q.—How did you find out ?

A.—By their counting up I suppose : I never counted them up : I have never done that.

Q.—You have heard of such a thing ? A.—Yes, the minutes will show, I suppose.

Q.—Then, according to your recollection, there was no arrangement made, by which our friends were to meet in the meeting house. A.—No.

Q.—No arrangement ? A.—No.

Q.—They were just allowed to do it ? A.—They just went there.

Q.—And they were allowed to do it ? nobody objected to it during all that time from Feb'y, '80 until Nov. '82, 2 years and a half ? A.—Yes, I think it is not quite as long as that.

22920

Q.—Now why did you change the hour of your meeting from half past three to four ? A.—Well, we thought we had more time, that it made it so close after our first day meetings at 11 o'clock, that we would have our pastoral meeting at four.

Q.—You said something else a little while ago, you gave another reason remember ? A.—On account of the separatists having their meeting a 2 o'clock.

Q.—Was that a reason ? A.—It was one reason.

Q.—One reason for changing your meeting from half past 3 to 4, was on account of the other party having their meeting at 2 ? A.—Yes, that was just merely a pastoral committee.

Q.—When was that change made ? A.—I can't tell you.

Q.—I suppose about the very time that they began their separate meetings ? A.—I think not right away.

22930

Q.—About that time ? A.—I don't think it was right off.

Q.—The minutes will show, I suppose ? A.—I don't think the minutes have anything to do with our pastoral committee—with our meeting changing that hour.

Q.—The minutes show nothing about the year meeting changing hour from half past 3 to 4 ?

A.—No, not that meeting.

Q.—But during all that time, or most of the time, you met at 4 instead of half past 3 ? A.—Only just for a short time, perhaps 7 or 8 meeting we might have : not all the meetings, we did'nt.

Q.—Did you discontinue meeting at 4 o'clock ? A.—We kept meeting up for some time at half past 3, and then we changed that to 4. 22940

Q.—How long did that continue ? A.—I could'nt tell you exactly : we closed when it began to get very cold weather, because the friends could'nt get out.

Q.—But in warm weather ? A.—We kept them up: that is by appointing them one day to the next one Sabbath to the next.

Q.—When was the pastoral meeting first introduced ? A.—The pastoral committee—there has always been a visiting committee ever since I was a member of the yearly meeting—to visit members of the meeting ever since the first yearly meeting—if I remember aright, right down to the present time and the pastoral committee was given liberty by consent of three or four of the committee to hold meetings: if any minister felt right to open a meeting they had full liberty and our dear friend Elijah Brewer was on the committee and she appointed meetings from one Sabbath to the next. 22959

Q.—You used to have a committee who visited went about visiting friends ? A.—Yes and holding Meetings whenever they saw fit.

Q.—When was that first adopted as a regular part of the discipline of the church ? A.—Well as near as I can tell it has been ever since the yearly meeting was established.

Q.—And when was it first called a pastoral committee ? A.—I could'nt tell thee that.

Q.—Have you any idea ? A.—The minutes show : I can't tell exactly.

Q.—You think the minutes will show ? A.—Yes I think the minutes will show.

Q.—For some years there was nothing on the minutes about it at all about this visiting practice ?

A.—I think you will find that it is in the minutes—that is a visiting committee to visit members and hold meetings : I was on that committee for years before the separation to place at all. 22960

Q.—And how were you appointed ? A.—By the meeting by the yearly meeting as all committees are appointed—all pastoral committees are appointed.

Q.—And when did that first begin according to your recollection ? A.—O I could'nt tell you.

Q.—It existed as long as you remember ? A.—Yes.

Q.—I see by the minutes of the 4th June '80 the number of members put down is 469 and in the statistical report of '82, the number is 206 for Westlake ? A.—I could'nt tell : I thought our friends said the whole yearly meeting.

Q.—So you don't know anything about it ? A.—I could'nt tell you the number of names belonging to our yearly meeting.

Q.—You are only guessing at it ? A.—Yes, that is all in regards to that for I don't know. 22970

Quarterly minute book here put in " C. I.,"

Q.—But in warm weather ?

A.—We kept them up ; that is by opening them from one day to the next. one Sabbath to the next.

Q.—When was the pastoral Meeting first introduced ?

A.—The Pastoral Committee, there has always been a visiting committee ever since I was a member of the Yearly Meeting— to visit members of the Meeting ever since the first Yearly Meeting—if I remember aright, right down to the present time, and the pastoral committee was given liberty by consent of three or four of the committee to hold meetings ; if any minister felt right to open a Meeting they had full liberty, and our dear Friend Eliza Brewer was on that that committee and she appointed Meetings 2295⁰ from one Sabbath to the next.

Q.—You used to have a committee who visited, went about visiting Friends.

A.—Yes and holding Meetings whenever they saw fit.

Q.—When was that first adopted as a regular part of the discipline of the church ?

A.—Well as near as I can tell it has been ever since the Yearly Meeting was established.

Q.—And when was it first called a Pastoral Committee ? A.—I couldn't tell thee that.

Q.—Have you any idea ? A.—The minutes show ; I can't tell exactly.

Q.—You think the minutes will show ? A.—Yes, I think the minutes will show.

Q.—For some years there was nothing on the minutes about it at all about this visiting practice ?

A.—I think you will find that it is in the minutes—that is a visiting committee to visit members 2296⁰ and hold Meetings. I was on that committee for years before the separation took place at all.

Q.—And how were you appointed ?

A.—By the Yearly Meeting, by the Yearly Meeting as all committees are appointed—all Pastoral committees are appointed.

Q.—And when did that first begin according to your recollection ? A.—O I couldn't tell you.

Q.—It existed as long as you remember ? A.—Yes.

Q.—I see by the minutes of the 4th of June, '80 the number of members put down is 469, and in the statistical report of '82 the number is 206 for Westlake ? A.—I couldn't tell ; I thought our Friends said the whole Yearly Meeting.

Q.—So you don't know anything about it ? A.—I couldn't tell you the number of names belonging to our Yearly Meeting. 2297⁰

Q.—You are only guessing at it ? A.—Yes, that is all in regard to that for I don't know.

Quarterly Minute Book here put in "C I."

Robert H. Saylor sworn for Plaintiffs testified as follows :

BY MR. CLUTE :

Q.—You reside in Bloomfield ? A.—Yes, a resident of Bloomfield.

Q.—Are you a member of the Society of Friends now ? A.—Yes.

Q.—To what Preparative Meeting do you belong ? A.—To the Bloomfield Preparative Meeting, known as Bloomfield.

Q.—Fill any office with respect to that Meeting ? A.—Not at the present time—that is as clerk or 22980 assistant.

Q.—Were you formerly clerk ? A.—Yes, for a number of years.

Q.—For how many years have you been a member of the Society of Friends ? A.—20 years and over.

Q.—During all that time where has this Preparative Meeting held their Meetings, in what building ? A.—They have been held in the present building now known as the Bloomfield Meeting House, the Preparative Meetings have been held there.

Q.—And where have the Monthly Meetings been held ? A.—It has been held alternatively at Bloomfield and Wellington—8 times at Bloomfield and 4 times at Wellington.

Q.—We had it that the Monthly Meeting was made up of the two Preparative Meetings ? A.— 22990 The Monthly Meeting consisted of the two Preparative Meetings—Bloomfield and Wellington.

Q.—And of what does the Quarterly Meeting consist ? A.—It consists of Bloomfield, West Lake, Cold Creek and Leeds.

Q.—And Kingston ? A.—It did formerly have Kingston ; it takes in Kingston as well ; Leeds covers the Kingston Meeting,

Q.—What hours and days does your Preparative Meeting recognize ? By what Meeting are they appointed when you are to meet ? By what authority were they appointed ? A.—They are set up by the Monthly Meeting and the Monthly Meeting by the Quarterly Meeting and the Quarterly Meeting by the Yearly Meeting.

Q.—So that the Meeting just higher in grade fixes the time ? A.—Days and places.

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Q.—Of the subordinate Meetings ? A.—Yes.

Q.—Tell me how the plaintiffs and the parties that are in sympathy with them have regarded these days and times for holding their Meetings ? A.—We have held them in succession ever since I was a member on the 5th days and 1st days at 10 o'clock, some little time they were held at 11 o'clock in consequence of some little inconvenience to elderly persons they have thought best to hold them at 10 o'clock,

Q.—How did you get at that hour 10 o'clock ? A.—The Monthly Meetings and the Quarterly

Meetings have the right to change I believe, and the Yearly Meetings change the hour ; the Monthly Meeting may ask the Quarterly Meeting to change its Preparative Meeting and the Yearly Meeting change them—sets the hour finally.

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Q.—And you have had regard to that hour ? A.—Always.

Q.—As the days in your Meetings ? A.—Yes.

Q.—Do you know whether or not the Meetings held or assumed to be held by the defendants, regarded the same time and place or place ? A.—They don't.

Q.—They hold them at different hours ? A.—Different hours and different days since they separated from us.

Q.—Go to the first Preparative Meeting at which it is said there was a separation, the one referred to by the last witness, 10th February, '81, were you clerk at that Meeting of the Preparative Meeting ? A.—I was clerk.

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Q.—Tell us as you recollect what took place there ?

MR. MACLENNAN.—That is not substantially in dispute ; they allowed us to meet.

MR. CLUTE continues—

Q.—Referring to the occasion when the disturbance took place I think you were one of the caretakers appointed were you not ? A.—I was.

Q.—Who were the others with you ? A.—John Cronk and my brother Abram Saylor.

Q.—When was that appointment made ? A.—20th December, '82.

Q.—What was done in pursuance of your appointment ? A.—The Monthly Meeting appointed a committee to take into consideration the propriety of allowing the separators to hold meeting in our Meeting House any further, and they appointed a committee, and that committee I suppose took into consideration and conversed with each other, and what they done they must answer for themselves, but they brought in a report stating they thought our meeting should be closed, and appointed myself and John Cronk and Abram Saylor to take necessary charge of the house, and to secure it—lock it up and have control of it.

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Q.—What did you do in pursuance of that ? A.—After our meeting—it was on the 24th December last—immediately after the Monthly Meeting authorized us to take the necessary step. After our Meeting was closed, we locked the house and there was two of us stayed there ; we were informed that they were going to break into the house and we were determined to know whether they did or not. So we stayed there and about 2 o'clock along came a number of Friends or rather boys in the first place, and afterwards quite a larger number ; John Cronk was outside or inside with the window down, and when he saw Gilbert Jones, the defendant, drive up to the gate and a number of others there was some party fetched a rail and tried to smash the gate open or rather said they were going to do it, and Gilbert Jones fetched a hammer and handed them to a man named Stanley White, and Stanley White took hold of the hasp that fastened the gate and wrestled away on it, and John Cronk hollared to him not to do it,

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and some of them hollared back—I don't know what they said, but still they persisted in it and broke the hasp and came in and then they came to the door and they pried that open.

Q.—Was anything said when they came to the door ? A.—The were forbidden from breaking in ; that we were there in possession by authority of the Monthly Meeting, taking necessary care and protection of the house ; we repeatedly told them not to break the house and they said would break in and they did—that was on the Sabbath.

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Q.—How did they get in the meetings ? A.—They took the hinges off the door ; unscrewed the bolts that fastened the hinges and set the door one side—one half the door ; it opens up in two doors—and then undone it far enough so as to take it off its hinges and set it aside and then called for the company to come in.

Q.—Forced their way in ? A.—Forced their way in.

Q.—When was the next occasion ? A.—That was on a Wednesday, but while I was in there I told them that when they had opened the door and set it aside, they shouted out for all to come, come on, come in, and some parties went, I took out my book going to have the names of those who were taking part in this and some of them shouted out, put my name down, and I told them if they would take time, I would take them down, I knew all that was there, I knew them all.

23060

Q.—These are the Defendants ? A.—They are the Defendants ; they weren't all at the first break-in.

Q.—Gilbert Jones ? A.—He was there.

Q.—William Valentine ? A.—He was there.

Q.—John Garratt ? A.—He was there,

Q.—Adam Henry—Mr. McClennan here states that he doesn't dispute this.

Q.—When was the next occasion ? A.—The following Wednesday ; when we had fastened the House and put the door back upon its hinges and locked it and put an extra lock on it and there was 4 or 5 of us there at that time inside—4 inside and I think 2 outside so as to know the parties ; they had threatened, they said they would come in and they would smash through the House any where— they were bound to come in ; and there was 4 of us I think stayed inside and two outside and warned them against breaking anything and the gate was barred with a chain put around it and locked, and they broke the hasp again and came in—broke the staple rather, and when they came to the House they drove a chisel in trying to open the front door, and they found it securely fastened, and with that Gilbert Jones went around to the east end of the House with a heavy crowbar, put that under the window to pry it up and he was forbidden a number of times, and still he pried it up till he got it far enough to put a stick under it, and then run the crowbar under it to press it up, and some of our Friends inside took hold of the top of it and held on to it, and one time they struck my son on the hand with a crowbar and that he took the crowbar and jammed the window in on to the parties standing in front of him, and they set it back into the window again and they smashed it to pieces and then

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they found they couldn't get in in that direction and they got an axe and came in the back door, Gilbert Jones took a crowbar and shoved the lock off, and shouted for them to come in.

Q.—How did they leave the premises when they went away? A.—With the locks smashed up the back-door split up and a window out and all torn to pieces, and I still remained in possession at the house and repaired, and I have ever since; I repaired up the window by placing one of the back-windows in its stead and taking stuff for back window and secured it as best I could, and remain caretaker yet.

Q.—What damage would you say was done? A.—Well they made a bad-looking picture of it for a while I assure you.

Q.—Do you know whether or not after this suit was commenced whether they forced their way in again? A.—Thed did.

Q.—On what day? A.—That was the following—

COURT :

It is quite clear there is no issue on that point; they did endeavor to get forcible possession.

Q.—You and the plaintiffs are still in possession of the premises? A.—We are and have been ever since I was a member.

Q.—Of that Monthly Meeting how many members have gone away from you—separated from you—not speaking of the Preparative that your wife spoke of 2-3rds, but of the Monthly Meeting? A.—I think there is between 30 and 40,

Q.—Out of how many? A.—Out of 208, all included there has been 27 or 28 requests—that includes them. At that time there would not be quite so many because there has been a few received since and that would leave them about 32 out of the 180.

Q.—At that time? A.—Yes.

Q.—And then members have been added to both Societies since? A.—Yes, that is the best I can remember.

Q.—There has been no separation of the Wellington Preparative at all? A.—Not to my knowledge never.

Q.—They still act with you? A.—Always have and do to the present.

Q.—Act with the plaintiff's Monthly Meeting? A.—Yes.

BY MR. MACLENNAN :

23110

Q.—Do you say that you were appointed by the Meeting to take charge of the house? A.—By the Monthly Meeting.

Q.—Did they remove the other trustees? A.—We were caretakers—there were no caretakers at that time—I was appointed at the Monthly Meeting as caretaker and charge of the house,

Q.—The trustees didn't appoint you at all then ? A.—They were present at the Monthly Meeting when I was appointed.

Q.—You were not appointed by them by the Monthly Meeting ? A.—I was appointed by the Monthly Meeting and the trustees were present when I was appointed.

Q.—That is these new trustees ? A.—Yes ; this is a very recent date that we were appointed.

Q.—That is last December ? A.—Yes.

23120

Q.—I didn't know but you were appointed by the new trustees ? A.—No.

Q.—So the other trustees were not removed at that time ? A.—When I was appointed ?

Q.—And you were not appointed in their stead ? A.—No I am not a trustee at all.

Q.—Well you were appointed to take charge of the property ? A.—I am only appointed a caretaker.

Q.—So is a trustee ? A.—I suppose so.

Q.—I suppose you were appointed a trustee then ? A.—I think not ; I don't think so ; I don't know what it might be reckoned in law of course ; I haven't the authority to sign any documents, deeds or anything of that kind ; not at all a trustee,

Q.—How do you get the numbers you have given us ? A.—By our minutes ; Preparative Meetings appoint Friends to take statistics of the Meeting and therefore we count them up. I can't tell the exact number ; I can't tell you exactly ; I only spoke of the Monthly Meeting.

23130

Q.—I am speaking of the West Lake Quarterly Meeting ? A.—The West Lake Quarterly Meeting would take in all Cold Creek.

About how much would there be altogether now ? A.—There must be as much as 400 or 500.

Q.—The statistics report in '82 Westlake 260 members ? A.—That is very easily accounted for.

Q.—Is this statistical report "V." in your opinion right or wrong ? A.—I think it is wrong ; that is from the Yearly Meeting and suppose one-half of them didn't report we would get it correct would we,

Q.—What statistics do you rely on if you don't rely on these ? A.—The minutes ought to show it.

Q.—In the minutes the number of members before separation is 469, Quarterly Meeting, do you suppose that is about right ? A.—I think it is.

23140

Q.—Before the separation ? A.—Yes.

Q.—These "V" are the statistics after separation 266 ? A.—It is incorrect.

Q.—You venture to say that is incorrect ? A.—I do from my personal knowledge of the members.

Q.—Were you at the Yearly Meeting in '82 ? A.—I think I was.

Q.—And this "V" statistical report was adopted at that Meeting wasn't it ? A.—That is the report.

Q.—Was it adopted ? A.—Of course it was adopted ; we have to adopt the best we can and we acknowledged at that Yearly Meeting it was a very deficient report.

Q.—It was adopted nevertheless ? A.—We couldn't adopt anything else ; we hadn't anything else to make a report out of ; they had failed altogether, the statistics of that Preparative Meeting. and we 23150 had to take what he had.

Q.—This statistical report "V" is sent up from the Quarterly Meetings, and has been read and adopted ? A.—So it has as far as they have sent it and there is a deficiency.

Q.—Was there any statistical report sent up from the Quarterly—the West Lake Quarterly then ? A.—There was sent up from Bloomfield.

Q.—This states the statistics from the West Lake Quarterly ? A.—It is very true that may come from a portion of its Quarter and then not have its number at all because we have Cold Creek, Huntington, Leeds, Camden and Kingston that have not sent a report.

Q.—Do you know they didn't ? A.—I do know—I know it is not a full report.

Q.—How do you know ? A.—Because of the deficiency , I know it from this—I was at the Yearly 23160 Meeting and the Yearly Meeting complained because they didn't send—

Q.—You are the husband of Mrs. Saylor who was in the box before you ? A.—I am the lawful husband and the only one I believe, and I ain't ashamed to own her neither.

Q.—As to this report ' V ' referred to at the Yearly Meeting '82 ? Were you present at that Yearly Meeting ? A.—I believe I was.

Q.—Was it known at that time that the report was imperfect ? A.—It was and spoken of.

Q.—It see by the same report the number of persons mentioned of the whole Church as reported to that Meeting was 1465 ? A.—Yes.

Q.—774 from Yonge Street and 425 and 266 as it is put here from West Lake ? A.—Well, that shows there is a large deficiency. 23170

Admitted here that the Plaintiffs were all members before the alleged difficulty.

Plaintiffs close.

For the defendants Mr. Maclellan moves for a non-suit on various grounds, but the Court held as follows :—

I think I can deal with the matter on the merits as the witnesses are all here ; it seems to me there was a sufficient dedication of the land by the donor for the purposes of this Society and the real inquiry now is to find out who is entitled to the use of it ; I think I will go on and reserve the rights of the person entitled to the land.

Defence accordingly proceeds.

MRS. ELIZA VARNEY, sworn for defendants, testified as follows :

23180

BY MR MACLENNAN :

Q.—You are a member of the Society of Friends I believe ? A.—Yes.

Q.—How long have you been a member ? A.—Since my 17th year some 35 or 36 years.

Q.—Have you been connected with the West Lake body ? A.—Yes.

Q.—All that time ? A.—Not all that time ; 5 years I was a resident of New England, a member of that Meeting there.

Q.—What part of New England ? A.—I lived a portion of the time in New Hampshire and had a removal certificate from the West Lake Monthly Meeting.

Q.—Were you connected with the New York Yearly Meeting when you were abroad ? A.—Not while I was a member of the New England Yearly Meeting : the New England is a separate Yearly Meeting.

Q.—But the rest of the time you were connected with this West Lake body ? A.—Yes.

Q.—Do you hold any office or position on the body at the present time ? A.—Yes, I am Assistant Clerk of the Quarterly Meeting.

Q.—And clerk of the Yearly Meeting also ? A.—Yes.

Have you any office in the Monthly Meeting ? A.—No.

Q.—Before these troubles arose between the members of the West Lake Society did you occupy any position in the body ? A.—I did.

Q.—Except that of a private member ? A.—I did : I was Assistant Clerk of the Quarterly Meeting the same as I am now ; I had been clerk of the Monthly Meeting for two or three years I think, and clerk of their Yearly Meeting when it first opened.

Q.—Were you a minister at any time ? A.—Yes, for past 16 or 17 years.

Q.—You were recognized as a minister then in the West Lake branch of the body ? A.—Yes.

Q.—During that time ? A.—Yes.

Q.—Until this separation took place ? A.—Yes, and I am still by our members.

Q.—Had you any office in the Yearly Meeting ? A.—I was clerk of the Women's Yearly Meeting.

Q.—For how long ? A.—I think I sat at the table for 10 years in succession, and one year after that : I think 11 years altogether.

Q.—Almost from the beginning ? A.—I was the first Clerk of the Women's Meeting—the first one that was appointed in the Yearly Meeting of Women's Friends—women's clerk. Yes, the first clerk of the women Friends.

Q.—The Woman's branch of Yearly Meeting ? A.—Women's branch.

Q.—Then I suppose you are a pretty good lawyer in church matters ? A.—I fear not—perhaps not so good as I would think ; I am to do the best I can.

Q.—You I suppose have paid a good deal of attention to the practices and customs and regulations of the body to which you belong ? A.—I endeavor faithfully discharge my duty.

Q.—Where did you attend worship usually ? A.—Bloomfield—at this building,

Q.—That is the Meeting House now in question ? A.—That has been closed against us, yes.

Q.—During the whole of your connection with the West Lake body is that the place where you have attended worship ? A.—Yes, that has been my place of attending.

23220

Q.—Now during late years have there been any differences arising among the people belonging to that body ? A.—Yes, I am sorry to say there has.

Q.—Of what nature ? A.—Well, they were calculated to bring discord among us.

Q.—Of what nature exactly ? A.—New forms, new modes of worship, new practices has been spoken of.

Mr. Bethune raises the same objection to this as before, as this is outside of the matters provided for in the discipline.

Objection noted.

MR. MACLENNAN continues :

Q.—Well there has been new practices, new forms, new modes of worship during late years ? A.— 23230 Very different from what they were when I joined the Society.

Q.—When did they begin about as near as you can recollect ? A.—It first made its appearance in Canada about the year 1874 and 1875.

Q.—Now will you just explain shortly what it is what these new practices and new forms of doctrines were which then appeared for the first time ? A.—Well, the first that I discovered among our own members was reading the Scriptures in our Meetings, which has not been customary with us—we believe it right to ~~leave~~ at home. It was brought to us from other places.

Q.—That practice was brought from other places ? A.—Yes, other Yearly Meetings.

Q.—Anything else ? A.—Then occasionally, perhaps, have some singing ; I was only a few times in attendance when they sang. When any of these strangers came in I had good reason, from my 23240 knowledge of them in other lands to know that what they would practice it was my course or manner of doing to remain at home. I didn't wish to—I didn't wish to contend with my brethern and therefore what I couldn't unite with I stayed quietly in my own habitation.

COURT :

Q.—Was singing not used at all in your Meeting ? A.—Never has been customary in our Meetings.

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1877

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1882

Q.—Singing is not a part of your worship ? A.—No, not a a part of our worship.

Q.—That is in Meeting ? A.—In Meeting.

Q.—Anything else ? A.—They established what they called a Mourners Bench and held Meetings purposely for the purpose of having the young brought forward to the mourners benches and praying for them, which was a custom that never was practiced in my early day of coming among Friends, 23250 neither have I ever found in any journal that is was customary—any journal of Friends that I have ever read, which I have striven to. Something new that has come into the Society within the past—well I think it has been out west for some 10 or 12 years, perhaps longer. I know I found it there as long ago as that, but here only within the past five or six years. I have met with it before I ever met with it in Canada.

Q.—Anything else ? A.—I don't just at this moment recall anything else to remembrance but we never were in the habit of ruling our Meetings by majorities ; our discipline has been very clear on that point : it was always a weighty concern members that decided the business of the Meeting—therefore that was one of the strong objections that the Friends made to the discipline that they wished to enforce upon us. 23260

Q.—That was one of the objections that was made to the new discipline ? A.—That was one of the strongest objections to the new discipline.

Q.—A change in the law of majorities ? A.—Because it gave the voice of the child and the inexperienced person just as much weight as it did the fathers and mothers in Israel who had long borne the burden and heat of the day and who had some religious experience,

Q.—How do you say according to the Friends practice that motions are carried in Meeting ? A.—If any subject came up before our Meetings, either in our Preparative, Monthly, Quarterly or Yearly Meetings and was laid before the Meetings in proper order, which we ever endeavored to do, then we sat a time in silence and it was expected that those who were considered heads of the Meeting, such as ministers, elders and overseers and other Friends should speak to that business and if it went in unity 23270 if their voices were united in it, it carried, and if any Friend objected, why Friends would say it could be laid over till another month, till we could see in unity together and be united.

Q.—Laid it over to another Meeting ? A.—Another Meeting and I have known it sometimes to be laid over—I have known it frequently to be laid over from one month to another and other cases 1 or 2 years ; some certain circumstances I mean but that was not a common thing.

Q.—And if there were any opposition to it what was the result ? A.—If any were opposed to it during the times between the Meetings Friends would try to get together and talk the matter over and bring about a reconciliation.

Q.—If possible ? A.—And if a reconciliation in any case could not be brought about and we couldn't act in unity the thing would be laid aside whether it was a request from an individual a proposition 23280 from Quarterly Meeting for any changes, or anything of the kind—if it could not be done in unity by those that were considered the weight of the Meetings, it was left therefore, the Friends strongly objected to the new discipline on the ground of its governing by majorities.

COURT—

Q.—Do you, did you know Mr. Bowerman, who gave the three acres of land to the Society ? A.—If it was Jonathan Bowerman and old Friend, I did, but if not, if it was his father, I couldn't say.

Q.—Jonathan Bowerman ? A.—I don't know what his father's name was.

Q.—Do you know when Jonathan died ? A.—I couldn't trust my memory to tell that.

Q.—Did he remain a member of your body till his death ? A.—Yes, if it is Jonathan Bowerman I knew he did, but I almost think it must have been an older man, but I am not posiiive, I don't know. 23290

Q.—And you say that was one of the objections ? A.—That was one of the new practices that was brought in or they wished to bring in upon us was that they should rule by majorities, and the whole time that I sat at the table Canada Yearly Meeting I never saw any of the business done in that way until the year that discipline was brought before us—that new one—that was so strongly objected to in the Yearly Meeting, and when I saw a show of hands for the first time in Canada—a show of hands was called for.

Q.—What was that on ? A.—It was in regard to that discipline.

Q.—In regard to the very discipline itself ? A.—Yes, to that new one when it was before the Yearly Meeting—whether it should be read or not read, I think was the time ; it was discussed in different ways.

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Q.—And upon that you say there was a show of hands ? A.—The clerk called for a show of hands, he being in sympathy with the new discipline ; it was in a joint session of men and women Friends, at the request of the men Friends, which is sometimes done when the business concerns us both ; they sometimes call for a show, for a joint session—anything that is likely to be prolonged, that it would take the Yearly Meeting too long to have it go through the men's Meeting and then wait for it to go through the Women's meeting, we sometimes hold a joint session and the men and women usually are expected to sit together and act on it,

Q.—Then there was a joint session on the question of this discipline ? A.—There was, for two days I think—good share of two days.

Q.—And upon that at some of its stages there was a show of hands taken ? A.—Yes, called for a 23310 show of hands.

Q.—Were hands held up ? A.—There were.

Q.—Against as well as for ? A.—I can't I say, I suppose there was ; I wouldn't be positive about that.

Q.—Were you opposed to the discipline ? A.—I was.

Q.—Did you so express yourself ? A.—I did, very freely.

Q.—At the Mceting ? A.—At the Meeting, so much so that I was told I had come to the Meeting without one spark of evangelical fire in me.

Q.—Then that remark was made to you ? Yes in the Meeting.

Q.—And did you withdraw your opposition at any time ? A.—No, not once.

23320

COURT :

Q.—Was the resolution then to adopt this discipline carried ? A.—No, it was only during the process.

Q.—How was it carried ? A.—It was first read, the first opposition that was made, they wanted us to accept the discipline—just simply held up the book and asked us if we would accept that discipline as the discipline of the Canada Yearly Meeting ; several of us made reply that we would be unwilling to accept any discipline as our discipline without knowing what that discipline contained ; I said for one that we would be entirely unwilling to acknowledge a law that we would live under it without knowing what that law was, and therefore we proposed to the Yearly Meeting that it should be read in the Meeting and it was through this discussion that the show of hands was brought up—that is, whether the book should be read or not read,

Q.—And that was carried in the way that you have described ? A.—Yes, but when it came to saying whether we would have the discipline as our discipline, having long sat as clerk of the Canada Yearly Meeting, I naturally looked over the Meeting to see that decision I had come to had I sat in that position, which I didn't at that time—I hadn't been a clerk then for some three or four years—and my conclusion was that the Meeting stood as near one half as it possibly could stand, and the men's Clerk, when he came to make the report concerning it after it had passed and gone through the Meeting; and all had expressed their minds, we were told it was another new practice that we weren't to to speak but once ; no one voice was allowed to speak but once, relative to the discipline ; that is on the last day of the discipline, that it was to be decided and several were set down—some that didn't have a chance to speak at all ; I think the clerk, being a stranger, supposed they had spoken, was the reason he told them to sit down ; but he came to this decision, and he says to Friends : I am at a loss what kind of a minute to make in reference to the discipline ; and I admired him for his honesty. I thought had I stood in his stead I couldn't do different, and with that it was proposed—the men's and the women's clerks didn't sit together as was customary, they had each sat on their own side of the house—and it was proposed that the women's clerk should get up and go and confer with the men's clerk and see what they could do and about somewhere from 5 to 15 minutes it was stated that the women's clerk had taken down the names till she thought they had the majority ; they had the majority so they carried it over the heads of the older Friends, which I think were very generally faithful to their sentiments and called it adopted by the Canada Yearly Meeting—I think the minutes will show.

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Q.—You gave your voice against it yourself ? A.—I did.

Q.—And others that you know of ? A.—Yes, several other weighty members.

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Q.—And your impression was that there was not much more than a majority if there was a majority ? A.—That would be my truthful impression that we stood very near half-and-half.

Q.—Well, what was done after that with it, was it considered in any of the other Meetings after that ? A.—Yes, the question was then asked in that Meeting when this discipline was to come into force ; they said in the first month at the Quarterly Meetings—in the first month they were to come in force.

Q.—What I was going to ask you was whether he went to any of the other Meetings after that ?
 A.—When it came to our Quarterly Meeting—I suppose that is what you have reference too ? It came through from the men's room to the women's room.

Q.—You needn't go into details but tell me what was done, if you were there ? A.—Yes, I was 23360 there.

Q.—And was it discussed and considered ? A.—In the Women's Meeting it was.

Q.—And what was done ? What was the end of it ? A.—The end of it was that the Meeting broke up in confusion ; the concluding minute was read, written and read, but evidently with a good deal of confusion, the Meeting broke.

Q.—But it was not carried ? A.—No, that was the cause of separation.

Q.—The entry in the minutes of the Women's Meeting is—it was not carried, nor will you tell me for what purpose it went to the Quarterly Meeting ? A.—It had never been to the Quarterly Meeting before, it didn't come to the Yearly Meeting in a proper manner.

Q.—Did it go to the Quarterly Meeting to be considered ? A.—No, they adopted a new course 23370 with us and Friends had no other alternative.

Q.—This entry is a correct account of what took place ? A.—That is a correct account of it ; they were asked whether they would adopt it at their Quarterly Meeting.

Q.—The proposition was whether your Meeting would adopt it or not ? A.—Yes, it hadn't come to us in the customary way.

Q.—Had it ever been before your Quarterly Meeting before ? A.—No.

Q.—This was the first time, the first occasion on which it came before your Meeting ? A.—Yes.

Q.—Now I want to know what the practice is in that respect ? Whether the Yearly Meeting can pass anything it pleases in the way of discipline and make it binding on all the members.

MR. BETHUNE :

23380

The written document must answer as to that.

MR. MACLENNAN continues and repeats the question :

WITNESS :

It is not customary so to do nor has it been our practice by our Yearly Meetings elsewhere ; it was the first case I ever knew in any Yearly Meeting I had ever been in.

Q.—What was the practice before that ? A.—The customary way of making any changes in our discipline or anything of that kind was a proposition coming from the Quarterly Meeting, first for some change in the discipline, if there was any change wished, and then that proposition would be brought to the Yearly Meeting, and the Yearly Meeting would act on it, but in case of changing the whole discipline, where they were going to change the whole of it—

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Q.—You never had any case of that kind before ? A.—I have been where it was done.

Q.—This is according to the practices that you obey ? A.—When the change came I think a request went up from the Norwich to the Canada Yearly Meeting that year for some change ; I was not at the Canada Yearly that year and therefore can't give a correct statement, but then if they had decided to make a change it was the place of the Canada Yearly Meeting to send a copy of the change or changes or the whole discipline it need be down to its members at home for their explanation either to the Monthly Meeting or families, and if they approved of it, if it was then approved of, return it back to the Yearly Meeting through their representatives.

Q.—Through the other Meetings ; A.—Through the other Meetings—just sent it back to the Yearly Meeting and then the Yearly Meeting act upon it. 23400

Q.—If it received the approval of the members ? A.—Yes, if it was approved of : if the representative Meeting and the Yearly Meeting approved of it, it would be then received as law.

Q.—And, as I understand, the Yearly Meeting when it was brought before them first, should have acted upon it and sent it down for the consideration of the other Meetings and families ? A.—As I say I wasn't at that Yearly Meeting.

Q.—What they should have done according to the practice ? A.—According to the practice they should have done it ; I don't think they asked for a new discipline, but they brought it.

Q.—Was that done in consequence of this discipline ? A.—No, it was not done and that was why the question was asked when it came to say should we adopt it after the course the Yearly Meeting had pursued, 23410

Q.—Your Monthly Meeting then had never acted upon it before ? A.—No, never.

Q.—Never passed an opinion upon it ? A.—No, nor the Quarterly Meeting.

Q.—Nor any of the Meetings, indeed ? A.—No, nor any of the Meetings.

COURT :

Q.—That is the practice and do you modify that ? A.—We considered that it had been forced upon us illegally and therefore we felt there was many practices and things brought in that was not in accordance with the way of doing it this very one thing.

Q.—The Monthly Meeting or the Quarterly Meeting had the liberty to reject or modify it as much as if it had been submitted to you in the first place, did you feel that before its being passed upon by the Yearly Meeting ? A.—We feel the Yearly Meeting hadn't done us justice and it was one step further out from the Society of Friends, differing from everything that had ever been known among Friends and therefore it was very necessary for us to guard those breaches from Friends' early rise for Friends from their early rise. from the reading of the Friends and writings, the indisciplines of which I have endeavored to inform myself with from their earliest date, never ruled by majorities—always by weight and concerned members of the Meeting—from their early rise. 23420

Q.—Was the matter ever considered in Monthly Meeting ? A.—Never.

Q.—Do the Women meet separately for business in the Monthly Meeting as well as in the Quarterly Meeting ? A.—Yes, all our Meetings.

Q.—Was that discipline ever considered in the Monthly Meeting—in the Women's Monthly Meeting ? A.—No, never.

23430

Q.—Never considered at all ? A.—No.

Q.—What was the reason of that ? A.—It was only from the Yearly Meeting direct direct to our Quarterly Meetings and therefore it came into the Quarterly Meeting prior to its coming to the Monthly Meeting at all.

Q.—Being originated in the Quarterly Meeting it didn't go to the Monthly Meeting at all ? A.—No.

Q.—So that the Women's Meetings have never adopted this new discipline at all ? A.—We never lived under it one day.

Q.—Then this practice of the majorities that you have spoken of is the last that you have mentioned of the new changes that were made ? Do you remember any other ? A.—Not just at this moment I don't.

23440

Q.—Do you recollect anything in the preaching that was new and different ? A.—O, yes.

Q.—What do you know of ? A.—Well, I heard one of our members say that all we knew about the Holy Ghost or the teachings of the Holy Spirit were in the Bible—that there was nothing in man.

Q.—Where was that said ? A.—It was said at a funeral.

Q.—It was not in a Meeting ? A.—It was in Meeting—it was at a Meeting held in another Meeting House, a funeral in what is known as the Hixite Meeting House ; one of our members made this statement.

MR. BETHUNE—

I think I may object to that for this reason—the body could not be bound unless it was brought before them and they all approved of it.

23450

Q.—Who was it ? A.—Charles Gideon Bowerman.

Q.—Is he still a member ? A.—He is a member with them.

Q.—Is he a member with the plaintiff's at the present ? A.—Yes.

Q.—He meets with the plaintiffs ? A.—Yes.

Q.—What position does he occupy ? A.—He is an elder among them.

Q.—Is he a minister ? A.—No, he often speaks though.

Q.—Did you ever hear him speak in the Meeting ? A.—I did. I told him one day that had the doctrine that he had preached that day, been preached when I first came among the Friends, I never would have joined them ; I should have gone to the Methodists ; they were a sounder people.

Q.—Did you hear him say anything in the Meeting ? A.—I did. That very day in the Meeting 23460 he preached the doctrine that done away with inspiration or the teachings of the Holy Spirit ; it was mid-day week meeting that ; on the 5th day of the week.

Q.—For worship ? A.—For worship.

Q.—On that day he preached ? A.—Yes.

MR BETHUNE renews his last objection here.

MR MACLENNAN continues :

Q.—This you say was in meeting ? A.—Yes.

Q.—When ? A.—I think about 3 years ago ; I couldn't give just the time.

COURT :

There is no point directed to this ; perhaps Mr. Bowerman would be able to explain all this , he 23470 can't be expected to answer for the utterances of every individual that may happen to be heard anywhere. I will take the utterances of this elder or any person in authority in the Meeting house, but I don't you can go to private houses and other Meeting houses.

MR. MACLENNAN continues :

Q.—I want you to give me what the duty of an elder is ? A.—The duty of an elder is to watch over the flock at large, to encourage the young in right doing, watch over the ministry.

Q.—What do you say about watching over the minister ? A.—He watches over the minister and if he finds the minister preaching unsound doctrines or anything that is objectionable, his life and conversation not what it should be, it is the duty of the elder to visit that minister and to point out the error of his ways and to strive to reclaim him and it is not generally expected for elders to be preaching 23480 and at the same time watch over the ministry.

Q.—But they do preach ? A.—That Friend preached a great deal, as much as anyone.

Q.—And you say one of his duties was to watch over the minister and to see that the minister didn't preach any unsound doctrines or depart from the customs and practices of the association ? A.—Yes.

Q.—By whom is the elder chosen ? A.—His name is brought forward by what used to be known as a select member, rather known now as the Meeting of ministers and the name of any elder is brought forward so.

Q.—By whom was he appointed ? A.—And then it goes from the Preparative Meeting of ministers and elders to the Quarterly Meeting of ministers and elders and from the Quarterly Meeting of ministers 23490 and elders it is sent back to the Preparative Meeting where it originated and that Meeting forwards it to the Monthly Meeting and the Monthly Meeting acts upon it and if the Meeting at large is united his name or her name being brought forward as an elder, united with that he is then reported back to the Meeting where it sprang from as being united with, and as appointed to that service so long as he filled it acceptably.

COURT—

Q.—They are put out in the same way are they ? A.—They are not put out if they remain faithful unto death,

Q.—But if they preach or teach heresy do they go through the same order putting out ? A.—Yes.

Q.—Then did you hear Mr. Maclean that has been spoken of by Mr. White ? A.—I only heard him once. 23500

Q.—Was he there the same time ? A.—Well, he was there I think 8 weeks, an unusual thing for Friend ministers.

Q.—Now, how did he get into the church ? A.—Well, when the Friends met and decided that it was best to close the house against him seeing that they wouldn't listen to a Friend's approaches against the doctrines he was teaching and the practices he had brought in among us I believe some of them got the counsel of some heavy lawyers and they told him to close the Meeting house doors against them and they did so.

Q.—Were there some in favor of him ? A.—There were so much so that some of them went and took the doors off of the hinges. 23510

Q.—Were some in favor of him ? A.—Yes.

Q.—And they were so much in favor of him some of them that they did what ? A.—Took the doors off the hinges and let the minister in

Q.—Who did that ? A.—I only know by hearsay---I couldn't speak from my personal knowledge. Objected to by Mr. Bethune as irrelevant.

Court thinks that questions of asking people to come forward and singing, reading, &c., might be gone into.

Q.—You say this man was there some weeks ? A.—Yes.

Q.—Do you know how often he presided or preached or was present ? A.—No, I didn't go near the Meeting house the whole time he was there ; there was sickness in my family. 23520

Q.—Except the ones you have mentioned ? A.—Yes.

Q.—That was enough for you ? A.—Yes.

Q.—You didn't approve of what you saw ? A.—He didn't go so far out of the way that day as some other times.

Q.—But he remained and when an endeavor was made to keep him out he was met in the way that is described ? A.—Yes.

Q.—You weren't there and I suppose you don't know who it was opened the house to let him in ? A.—Only by report.

Q.—Have you given some attention to the differences that have arisen between the parties in the church ? A.—Yes,

23530

Q.—So far as doctrine is concerned ? A.—Yes, I have watched over it with a great deal of sorrow.

Q.—What differences of doctrine are they that stand between you now ? A.—The teaching that has been brought in by those men that came from other Yearly Meetings is still among them ; they were imbibed here and carried on to the present time.

Q.—I want you to specify as well as you can what the teachings are ? A.—I have heard them in that Meeting house say that they deny the teachings of the Holy Spirit.

Q.—Whom did you hear say that ? A.—I have heard Charles Gideon Bowerman deny it.

Objected to by Mr. Bethune as not proper evidence.

MR. MACLENNAN continues :

Q.—Where did you hear him teach this concerning the Holy Spirit ? A.—I heard it different times in our own Meeting house and many others heard the same.

23540

Q.—Do you know about how long ago he was appointed an elder ? A.—I don't know that I could give the exact time, but I should think 10 years ago ; I may be mistaken ; I don't know exactly.

Q.—Is he still acting as an elder ? A.—I don't know what position he fills with them now.

Q.—Down to the time you separated did he occupy the position of an elder ? A.—At the time they left us, yes.

Q.—At the time of the separation ? A.—Yes.

Q.—He was still an elder then ? A.—Yes.

Q.—Have you heard any other doctrine preached that was not in accordance with the ancient practice—the ancient doctrine ? A.—That was the principal one,

23550

Q.—Any other that you think of ? A.—One they preached that there is nothing in man to produce conviction—that is the plaintiffs preached.

Q.—Nothing in man to produce conviction ? A.—Until after conversion—conviction of sin until after conversion.

Q.—Who teaches that doctrine ? A.—Well I have heard it different times in our Meeting House by our members who are in the habit of speaking. Charles Gideon Bowerman was one of them.

Q.—Anyone else ? A.—I can't say ; I couldn't name them now, no one else except C. G. Bowerman.

Q.—Do you know whether these doctrines are held by any other bodies connected with the Friends ? A.—It is something new that has come among us in different bodies of Friends within the past 15 years.

23560

Q.—In other places ? A.—Yes I have found it in other places.

Q.—Only lately it has come here ? A.—Only within I think since '75 it came to Canada—'74 or '75.

Q.—Was there any change in the practice in regard to prayer that you know of ? A.—Yes, Friends were always in the habit of standing in time of prayer until—I can't tell how many years—very few years since these new things come and always all the rest of the members rise to their feet except sickness.

Q.—Whenever any one rose to pray ? A.—Yes

COURT :

Q.—The praying member knelt and the rest stood ? A.—Yes, and a proposition came before our 23570 Yearly Meeting to have it changed, for us to sit ; I think the Men's Meeting decided that as we had ever felt that Friends ought to do according to their feelings the dictates of their own, it came through from the men's Meeting—it was in writing and informed us that they had decided to leave it with the individuals ; they never sent it through to ask the Women's Meeting to act upon it ; they simply sent it as a notification to say that it had been brought before the Meeting and they had decided to leave the Friends to act as they felt in the matter.

Q.—When was that ? A.—I don't know ; it is 4 or 5 years ago ; I couldn't tell exactly.

Q.—What was done in consequence of that ? A.—Word was brought down,

Did any change in the practice take place after that ? A.—Yes, at once they began sitting at time of prayer ; most of them members, yes ; it never was acted on in the women's Meeting. 23580

Q.—That never was done in the Women's Meeting ? A.—Never was acted on in the Women's Meeting, no ; I was clerk at the time.

Do you know who it was introduced that change ? A.—I don't because it was brought into the men's Meeting.

Q.—It started in the Men's Meeting ? A.—Yes.

Q.—Do you know how the plaintiffs and defendants act in regard to that matter and continued to act at the time of the separation ? A.—Up to the time of the separation they sat.

Q.—Both plaintiffs and defendants—both sides ? A.—Towards the last we did because there was very many prayers offered that Friends didn't feel unity with and they sat.

Q.—Sometimes the Friends who agreed with you and desired to adhere to the old practices, fol- 23590 lowed the practice of sitting sometimes ? A.—Sometimes, but we mostly stood.

COURT :

Q.—As to reading scriptures I think you said it was not practised but they were to read at home, that is the innovation that you complained of ? A.—Yes.

Q.—Do you know anything about the Revivals? A.—They have separate Revival Meetings there, but I never attended them because I didn't approve of them—not among Friends,

Q.—Are Revivals practised among Friends? A.—Never has been brought about in that way.

Q.—When to your knowledge were Revivals first used in this body in West Lake? A.—I think the first was either in winter '74, '75 or '76, I couldn't tell which.

Q.—By whom was that introduced, do you know? A.—Elwood Scott.

23600

Q.—Do you know whether Revivals were practised lately, about the time of the separation? A.—Occasionally they were.

Q.—By whom? A.—There were other persons come here and then the members would take hold and assist, they would all assist in them more or less I understood.

Q.—What members? A.—I didn't attend the Meetings, those that have attended could tell, not approving of them, I didn't attend.

Q.—Were these Revivals new practices? A.—They were new practices among Friends,

Q.—Do you know of any practice in regard to leading in praying or any change? A.—I never knew it practiced among Friends, that were really Friends.

Q.—What is the practice you refer to? A.—All the way I ever knew of prayer among Friends 23610 was when they felt inspired to pray, then they were expected to kneel and pray, but such a thing as holding Meetings—prayer Meetings—and calling upon one another to pray, I never knew among Friends till it was brought here.

Q.—Was such a practice brought here? A.—I believe it was, but I would not go to the Meetings to witness it.

Q.—Did you know of such Meetings being announced? A.—I have heard them call prayer Meetings; I have heard them tell of their Prayer Meetings.

Q.—Is that a new thing among Friends? A.—Yes.

Q.—Did you attend any of them? A.—No, I didn't, not in Canada.

Q.—When did you hear that such Meetings were to be? A.—I had seen them practiced in other 23620 Yearly, and when certain individuals came among us I knew what to look for and what to expect and therefore I stayed away.

Q.—And you merely heard from other persons that such things took place? A.—Some of our own members did attend.

Q.—That is the way you came to know that such a thing—such things took place? A.—Yes.

Q.—Not of your own knowledge? A.—No.

Q.—You stayed away when these people came that you understood were likely to practice these things? A.—Yes I did.

Q.—Is there any practice believed on the part of Friends in regard to the use of particular words ?

A.—Friends have always been in the habit of using the Scriptural language “thee” and “thou” in speaking to one individual and calling the days of the weeks in numerical order, beginning with the first what is commonly called the Sabbath as the first day of the week, and so down. 23650

Q.—Have plaintiffs made any change in that respect ? A.—I have heard some of them using the plural number in speaking to one individual.

Q.—Your discipline has omitted the old portions, those portions, of the old discipline which related to that subject, the old recommended it and it was the practice ? A.—Yes.

Q.—What do you understand on that subject as the practice among Friends and how long back it had gone ? A.—It has always been customary from the very rise of Friends from all the writings I have ever read of Friends when we used to talk to members ; I know when I was taken in I was asked whether I used plain language or not or felt constrained to adopt plain dresses. 23640

Q.—When you were admitted into the Society you were required to answer whether you agreed to adopt plain language in your speech and plainness of dress also ? A.—Yes, conforming to the rules of the Society.

Q.—What is the rule of the Society, the practice of the Society in regard to dress ? A.—There is no particular rule laid down other than simplicity and plainness, not following all the fashions of the world ; not following the varying fashions of the world.

Q.—Were you required to do anything when you were admitted in respect of that ? A.—I had been a very fashionable girl and I laid that all aside.

Q.—And you were questioned about it at the time of your admission and required to undertake to observe the practice of Friends in respect of that ? A.—I was spoken to about it. 23650

Q.—Do you know whether these plaintiffs or any of them call themselves by any particular name ? Distinctive name ? A.—I don't know whether they claim any particular name or not ; I heard of them calling themselves different names but I never heard one of them use the name myself.

Q.—You never heard any of themselves ? A.—Apply it themselves.

Q.—As distinguishing them from any other portion of the Society of Friends ? A.—Other than they were progressing Friends ; I think in one on one occasion I heard Alexander Derbyshire make use of that term , that was at our house ; he was at that time a private member , he has been a minister I understand since ; I understand he is a minister now.

Q.—Were you present on the 10th February—The time when the separation is alleged to have taken place ? A.—I was. 23660

Q.—Where were you ? A.—I was at the regular mid-day mid-week Meeting. I was in the women's Meeting.

Q.—Recollect what took place then ? A.—I do ; we sat still till their Meeting was through with ;

the women's Meeting till they had gone through with their business ; I asked the clerk, Catharine Saylor, if the business had gone through and she said she was just writing the closing minute and I said I had been reminded of the language of the Savior and the golden rule : do unto others as you would that men should do unto you—Friends at what hour can we hold our Meeting without interfering with you or you with us—those were the exact words I made use of at that time. Several of them said that there was a good feeling over the Meeting—a very comfortable good feeling over the Meeting ; some of them said they spoke of half past one. They held a Meeting in afternoon at three, which never had 23670 been authorized by the Monthly Meeting. They held a Meeting at three or half past three—I won't be positive which. They spoke of half past one—some one replied and said their Meeting was not always out at half past one, and we might interfere with one another ; another person said two and I think Sarah Ann Derbyshire was the first to propose that they change their Meeting in the afternoon from 3 or 3:30, whichever it was, to 4, and that would give us a chance to hold our Meeting at 2, and just as we had got about so far in the business on the women's side there was a little rustle on the men's side, as if their Meeting was about breaking and Catharine Saylor took the paper in her hand and started into the men's room. I heard Robert's voice say here is something new under the sun. Eliza Varney has asked for the Meeting house. I rose to my feet and I asked the women Friends to go into the men's Meeting, and I went around to the men's room and said the very same words in the 23680 men's room that I did in the women's room, and Charles G. Bowerman asked me if the women's Meeting was done and I said I believed it was all but the reading of the closing minute. I didn't know as that had been read—I didn't think it had, and he says we will throw up the shutters, and he opened the doors between the two rooms and I then returned to the women's side and Catharine took her seat by her husband or near him and it was then talked on in the men's Friends. They then entered into the subject and it was decided that we should have to hold our Meeting at 2 o'clock and that we were to furnish the same person to take care of the house as took care of it for us ; there was no time agreed upon that I am aware of.

Q.—And that was so arranged ? A.—It was very quietly and amicably arranged, yes.

Q.—Now was there any discussion in your women's Meeting that day about your differences ? A. 23690
—O, no not at all ; there was a good feeling over the Meeting and we felt happy—very much indeed.

Q.—You were going to part ? A.—Yes,

Q.—Was it understood on both sides you were to part ? A.—I think so—I think that was the feeling.

Q.—How did that understanding come about ? A.—Because that was the day on which they had got to make their report to their Monthly Meeting under the new discipline, while we kept to the old one.

Q.—They were going to make out their statistical report that day under the new discipline ? A.
—Yes.

Q.—And you and your Friends objected to be counted ? A.—We didn't say anything about it that 23700 day—there was nothing said after the Quarterly Meeting concerning it one way or the other.

Q-What was the date of the meeting?

A-It was on the 15th of May.

Q-And you say that the meeting was held in the room of the hotel?

A-Yes, that is correct. The meeting was held in the room of the hotel. I was present at the meeting and I saw the other persons who were present.

Q-That was the date of the meeting that was held in the room of the hotel?

A-Yes, that is correct. The meeting was held in the room of the hotel. I was present at the meeting and I saw the other persons who were present.

Q-What was the date of the meeting that was held in the room of the hotel?

A-It was on the 15th of May.

Q-It was on the 15th of May. Of the following persons who were present at the meeting, did you see the following persons?

Q-What was the name of the person who was present at the meeting?

Q.—How did you come to the understanding that you were to part ? A.—I think that was the understanding at the Quarterly Meeting—that Quarterly Meeting that the discipline came before.

Q.—When you refused to adopt the discipline ? A.—Yes

Q.—Was there any discussion at that Meeting between you ? A.—There was considerable in the women's Meeting and I think they took it as a separation at that time from the fact that the following morning when we met for worship the first prayer offered was to thank God—they thanked God for the great victory they had had the day before.

Q.—In the women's Meeting ? A.—It was a Meeting of worship—we were all together.

Q.—The next was the first day ? A.—Yes.

23710

Q.—And you say that thanksgiving was offered up for the great victory they had won ? A.—Yes by two individuals.

Q.—Was there any talk between you then—any discussion between you at your women's Meeting on the previous day about your differences, as to the differences of receiving the discipline the 7th day ? A.—Yes, it was very much disapproved of.

Q.—That was the difference then that was discussed between you that day ? A.—Yes, whether we would take the discipline or not,

Q.—And you think it was generally understood there was to be a split ? A.—I think that was the impression left on both sides.

Q.—That those who were in favor of the discipline couldn't get on with those who refused to adopt the discipline ? A.—I think that was the impression. 23720

Q.—What day was that ? A.—It was the 7th day in the second month—it was a Saturday.

Q.—It was on the second day of the following week that this arrangement was made that you speak of ? No, our Preparative Meeting comes the 4th day.

Q.—Was it the following week then ? A.—I couldn't be positive about that—perhaps it was.

Q.—It was on Wednesday, then ? A.—Yes.

Q.—So that the new discipline was rejected by the Meeting on Saturday ? A.—Yes.

Q.—And the arrangement that you made about meeting at a different hour was made on the following Wednesday ? A.—Yes.

Q.—Then if I understand you aright the real cause, it was the discipline that brought about the separation just at that time ? A.—Well, it was what we had seen practiced amongst us and then knowing that the discipline would help them carry these practices still further. 23730

Q.—You say the discipline would help them carry the practices further ? A.—The older member's voices ceased in some measure to be heard—things were carried right over our heads very many times.

Answers to questions
asked by the
Committee

Q—You refer to the old paper

One should still call it the

Toronto Star and Globe

Q.—What discipline are you following now and your Friends ? A.—The one of '59.

Q.—You still adhere to that ? A.—Yes, the one that carried the Yearly Meeting.

Q.—And have you and your Friends adopted any new practices at all ? A.—Not that I am aware of.

Q.—You adhere to the old practices of the Society of Friends ? A.—Yes.

Case stands till Fall sittings.

23740

TORONTO, 1st October, 1883.

742 (a)

JUDGMENT.

The judgment of the learned Judge will be found in Volume
Reports, page

of the Ontario

REASONS FOR APPEAL.

The judgement appealed from is erroneous and should be reversed for the following amongst other reasons.

The Plaintiffs were the Trustees of the West Lake Monthly Meeting of the Society of Friends, and as such were entitled to hold the property in question upon the terms of and upon the trust contained in the grants thereof to the original trustees of the West Lake Monthly Meeting.

Or if they were not such trustees, they were members of the body known as the West Lake Monthly Meeting of the Society of Friends, and had a right to maintain this action, and the court could and ought to have appointed trustees to carry out the trusts contained in the said deeds.

The defendants were wrongdoers and the plaintiffs were entitled to an injunction to restrain the defendants from trespassing upon the said property.

The plaintiffs were the trustees of the West Lake Monthly Meeting and were under the jurisdiction and control of the Canada Yearly Meeting of the Society of Friends and were bound to obey the direction of that body as to the use of the Discipline adopted at the Yearly Meeting of 1880 in accordance with the usages of the said Society.

The defendants were also under the control of the said Yearly Meeting and were well aware of the adoption of the said discipline by the said Yearly Meeting but took no steps to restrain the adoption of the said discipline, but permitted the same to be sent down to the Quarterly and Monthly Meetings of the said Society to be used by the said Meetings and it thereupon became the duty of the said Monthly Meeting to use the said discipline.

No steps were afterwards taken by the defendants to bring the matter before the said Canada Yearly Meeting.

The plaintiffs submit that they cannot be held to have been guilty of any wrong in using the said discipline.

The Canada Yearly Meeting has jurisdiction to adopt the said discipline.

Even if the Canada Yearly Meeting had no jurisdiction to adopt the said discipline the use of it by the West Lake Monthly Meeting was not a ground on which the defendants had a legal right to do what they did or any reason for expelling the plaintiffs from the said body.

There was no difference in doctrine between the discipline adopted in 1880 and that of 1859.

It was not established that the plaintiffs practiced any usage or ceremony in worship which was opposed either to the said discipline of 1859 or to any well settled usage amongst the Society of Friends which was of the essence of what is known as Quakerism. In any case the defendants acquiesced in such alleged new usage,

The learned Judge erred in holding the plaintiffs answerable for the conduct at worship of persons unconnected with the plaintiffs Meeting.

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The Society of Friends is one throughout the world and the plaintiffs body are in the language of Quakerism in unity with the Yearly Meetings in England and that of the Yearly Meetings in the United States, and one of the trusts upon which the property was held was that the West Lake Monthly Meeting was to continue in unity with the London Yearly Meeting, and the plaintiffs body are in such unity with the London Yearly Meeting. 23780

There was at the time of the making of the grants in question no defined formulation of the belief of the Society of Friends and therefore the cases cited by the learned Judge in his judgment have no application to a matter of this kind.

All the matters relied upon by the defendants were matters wholly within the jurisdiction of the Canada Yearly Meeting and the defendants ought to have appealed to that body if the plaintiffs were violating any of the tenets of the society.

The defendants are not in unity with the Canada Yearly Meeting and had no right to the use of the property in question and ought to have been restrained. 23790

The defendants were seceders from the Canada Yearly Meeting and from the West Lake Monthly Meeting and have set up a new schismatical body and ought to have been restrained from interfering with the said property.

The plaintiffs were informed by the learned Judge at the trial that they would not be held answerable for the practises at worship proved to have been used at Toronto and elsewhere and so gave no evidence to show that they did not use these practices and the learned Judge in his judgment proceeds upon the theory that the plaintiffs approved of these practices and used them in their worship Meetings.

CLUTE & WILLIAMS,

Solicitors.

JAMES BETHUNE,

Counsel for Appellants.

23800

IN THE COURT OF APPEAL.

TUESDAY, 21st October, A.D., 1884.

BEFORE MR. JUSTICE OSLER, }
In Chambers. }

Between,

JOHN F. DORLAND, and others

PLAINTIFFS, (*Appellants.*)

AND

GILBERT JONES, and others

DEFENDANTS, (*Respondents.*)

23810

Upon the application of the defendants upon reading the consent of the Solicitors for the Respondents and upon hearing counsel for both sides.

1. It is ordered that the printing in the appeal book herein of the following exhibits filed on the hearing of this cause in the Chancery Division, namely: C. D. E. F. G. H. I. J. K. L. M. N. O. P. Q. R. S. T. U. V. D1. E1. J1. K1. L1. M1. N1. P1. Q1. S1. T1 U1. X1. T1. Z1. A2. B2. C2. D2. E2. F2. G2. H2. I2, J2. K2. L2. M2. N2. O2. X2. be and the same is hereby dispensed with, and that the costs of this application be costs in the appeal.

(Signed),

F. OSLER,

J. A. 23820

DORLAND vs. JONES.

The following are the respondents reasons against the appeal of the appellants.

1.—The respondents submit that for the reasons so fully expressed by the learned Judge before whom the case was tried the judgment appealed from is right and ought not to be disturbed but ought to be affirmed with costs.

2.—The plaintiffs wholly failed at the trial to establish by competent evidence any legal title to the lands in question or any part thereof or any right to a injunction to exclude the defendants therefrom, or from the use and enjoyment thereof and the action of the plaintiffs was therefore properly dismissed with costs.

3.—The defendants on the other hand established by their evidence a title to the lands, and that they are the persons lawfully entitled to the use and enjoyment thereof and judgment was thereupon properly pronounced in their favour upon their counter-claim 23830

4.—The property in question was originally acquired by and on behalf of the Westlake Monthly Meeting of Friends for congregational purposes, and suitable buildings were erected thereon by them and the property was enjoyed by them as a religious congregation from the year 1821 until the disputes and difficulties in this case arose.

5.—The property having been thus in 1821 and 1835 impressed with a trust for the Westlake Monthly Meeting of Friends the real question in the case is, who are the persons who now truly and lawfully answer that description.

6.—This is to be ascertained by evidence shewing the distinctive character at those times of the religious body or congregation referred to and and shewing whether the plaintiffs or defendants bear that character. 23840

7.—We are therefore first to see who and what the religious body called the Westlake Monthly Meeting of Friends was in the years 1821 and 1835 when the property was acquired.

8.—Both parties agreed at the trial that certain Books were of authority as describing and defining the Quaker body as they were in the years named. These were principally Fox's Journal, Barclay's Apology and a book of Discipline of the year 1810, and from these books and the oral evidence at the trial it is clear that when the property was acquired and long before the Society of Friends including the Westlake Meeting were a religious body with well defined peculiarities of religious belief and doctrine, with peculiarities of manner speech and dress, and also of church organization government and worship all of which were essential, and characteristic of their body and of the members composing it. 23850

9.—In the year 1859 the discipline of 1810 was revised and amplified and was accepted so far as the evidence shows by the whole orthodox body of Friends without objection or dissent. and must be taken to state correctly as far as it goes the doctrine and polity of the Society both then and previously.

10.—This discipline of 1859 was used and observed by the Westlake Monthly Meeting until 1867 when the Canada Yearly Meeting was established, and afterwards until the year 1880 when an at-

tempt was made to introduce a new discipline which had been adopted in the New York Yearly Meeting in the year 1877.

11.—The Plaintiffs have adopted this new discipline and observe and adhere to it. The Defendants observe and adhere to the discipline of 1859 and it is contended that by adopting the new discipline the Plaintiffs ceased to answer the description of the beneficiaries under the trusts of the property and lost their right to use and occupy the same. 23860

12.—The new discipline varies from the old in many important and essential particulars some of which are pointed out in the judgment appealed from, and it is calculated, and by carefully selected language, designed to bring about most important changes in many of the characteristics of the society.

13.—The defendants contend that the new discipline was not lawfully passed in or adopted by the Yearly Meeting, and that if it were it would not be binding on those who opposed it, and that it is not binding on the defendants.

14.—The Plaintiffs have departed from the essential and characteristic doctrines usages and worship of the Society of Friends in many other respects as disclosed in the evidence, and have thereby wholly ceased to be or belong to the religious body entitled to the benefit of the said trusts. 23870

15.—The defendants, adhering as they do to the ancient doctrines and discipline and forms of worship and government of the Society of Friends are the true Westlake Monthly Meeting for whom alone the said property was acquired and the said buildings erected and are entitled to the benefit of the trusts thereof and to be protected therein by the judgment of the Court.

16.—The defendants rely on the following among other authorities in support of their contention and of the judgment appealed from :

Viz :—*Craigdellie v. Aikman* 1 Dow, *Attorney General v. Murdoch* 7 Hare 445. I. DeG. M. & G 86.—*Attorney General v. Munro* 2 DeG. & Sm. 122.—*Attorney General v. Rochester* 5 DeG. M. & G. 797.) *Doe Methodist v. Bell* 5 U. C. O. S. 344.—*The same v. Brass* 6. O. S. 437.—*Galt v. Bain* 3 U. C. Q B. 198.—*Attorney General v. Jeffrey* 10 Grant 273.—*Attorney General v. Christie* 13 Grant 495 *Cowan v. Wright* 23 Grant 616.—*McRae v. McLeod* 26 Grant 283.—*Deeks v. Davidson* 26 Grant 488.—*Earl v. Wood* 8 Cushing 430.—*Strong's Lectures on Church Law* 52.—*Schrow's Appeal* 67 New State R. 138, 146.—*Fox's Journal*, *Barclay's Apology*. 23880

And they submit that the said appeal should be dismissed with costs.

November 12th, 1884.

JAMES MACLENNAN.
FRANK ARNOLDI,



IN THE COURT OF APPEAL.

Before MR. JUSTICE OSLER, }
In Chambers. }

TUESDAY, 21st October, A. D., 1884. 2389

BETWEEN

JOHN T. DORLAND, and Others,

PLAINTIFFS, (*Appellants.*)

AND

GILBERT JONES, and Others,

DEFENDANTS, (*Respondents.*)

Upon the application of the Appellants upon reading the consent of the Solicitors for the Respondents and upon hearing counsel for both sides.

1. It is ordered that the printing in the Appeal Book herein of this cause in the Chancery Division, namely : C. D. E. F. G. H. I. J. K. L. M. N. O. P. Q. R. S. T. U. V., D1. E1. J1. K1. L1. M1. N1. P1. Q1. S1. T1. U1. X1. Y1. Z1., A2. B2. C2. D2. E2. F2. G2. H2. I2. J2. K2. L2. M2. N2. O2. X2. be and the same is hereby dispensed with and that the costs of this application be costs in that appeal.

(Sgd.)

F. OSTLER,
J. A.

50c. L. S.

REASONS FOR JUDGMENT OF THE COURT OF APPEAL FOR ONTARIO.

HAGARTY, C. J. O.—This case has been argued with very great learning and ability, and the clear and very full judgment below renders a detailed statement of facts unnecessary.

The deed of 1821 conveys the property to Trustees of the West Lake Monthly Meeting of Friends to hold to them and their successors for the only use and benefit of said meeting. The deed of 1835 (after the Religious Societies Act) reciting the earlier deed grants to the trustees for said meeting so long as the members constituting it shall remain and be from time to time continued in religious unity with the Yearly Meeting of Friends (called Quakers) as now established in London, Old England, and no longer. We need not discuss the question whether the second
10 conveyance controls or affects the legal result of the first.

The last deed shews that there was a Monthly Meeting or congregation belonging to a well known existing religious denomination called the Society of Friends. This society has been in existence for over two centuries. Its constitution has been fully explained, and the respective positions of Monthly, Quarterly and Yearly Meetings ascertained and admitted. For many years this Monthly Meeting was subordinate to the New York Yearly Meeting.

In 1867 the latter meeting set off and established the Canada Yearly Meeting of which the West Lake is a subordinate branch, and in the same year the Canada Yearly Meeting adopted the discipline of the New York Yearly Meeting.

In 1877 the latter revised its discipline, and in 1880, as is alleged, the Canada Yearly Meet-
20 ing adopted the revised discipline of 1877.

In February, 1881, the trouble seems to have broken out in the West Lake Monthly Meeting, and the contest between the two parties for the possession of the meeting house, etc., began, which has resulted in this suit.

The plaintiffs insist that they and their predecessors are and have been since 1821 till this contest, in the quiet possession as the West Lake Meeting, of all this property. The defendants claim that the plaintiffs have departed from the true faith and discipline of the society, and are no longer entitled to possession, and assume to themselves the character of the true West Lake Meeting, and as such justify their seizure of the real property of the Meeting.

In this case the whole burden rests on the respondents to shew beyond reasonable doubt,
30 that the plaintiffs have so far departed from the fundamental principles of the society, or have so far departed from its discipline and form of worship, which is here claimed to be the essence of the position, as in effect to cause them to be no longer members of the society. Such a departure (as in the vigorous language of Chief Justice Shaw) is "so deep and radical as to destroy its identity with the Society of Friends who had been invested by law with the enjoyment of property and civil rights. "But (he adds) if such a case be possible, it would seem to be a suicidal

destruction of the body itself, leaving its property derelict," Our task here is to examine whether the plaintiffs' title to this property is successfully attacked.

I fully agree in the general principle laid down in the very able and most careful judgment of my learned brother Proudfoot, that property may be conveyed to a religious body or in trust for them on condition of their adherence to certain specified articles of faith, or certain prescribed discipline or ritual, as well expressed in the language cited of Mr. Justice Strong of the United States Supreme Court. I have read with much interest the lecture of that learned judge on "The Relation of Civil Law to Church Polity, Discipline and Property," lent to me by my learned brother.

10 In Tudor's Charitable Trusts, (2nd Ed.) 246, it is put thus: "If the institution was established for the *express* purpose of such form of religious worship, or the teaching of such particular doctrines as the founder has thought most conformable to the principles of the Christian religion, it is not in the power of individuals having the management of that institution, at any time to alter the purpose for which it was founded." He then quotes Lord Eldon in *Attorney-General v. Pearson*, 3 Mer. 400. "If it turns out that the institution was established for the express purpose of such form of religious worship as the founder has thought most conformable to the principles of the Christian religion, I do not apprehend that it is in the power of individuals having the management of that institution, at any time to alter the purpose for which it was founded, or to say to the remaining members: 'We have changed our opinions, and you who
20 assemble in this case for the purpose of hearing the doctrines, and joining in the worship prescribed by the founder, shall no longer enjoy the benefit he intended for you, unless you conform to the alteration which has taken place in our opinions.' In such a case therefore, I apprehend considering it as settled by the authority I have referred to, that where a congregation become dissentient among themselves, the nature of the original institution must alone be looked to as the guide for the decision of the Court; and that to refer to any other criterion, as to the sense of the existing majority, would be to make a new institution, which is altogether beyond the reach and inconsistent with the duties and character of this Court."

These words, so often cited, were used in a case in which the property given to a Trinitarian Congregation, was reclaimed in after years from Unitarian hands. It turned very much on the
30 then state of the law in England and the disabilities of Unitarians, but the general doctrine remains of undoubted authority. We have to consider whether the respondents have made out their case. First, have the plaintiffs departed from any of the fundamental principles or tenets of the society as it existed in 1821, or have they departed from its practice and discipline so as in effect to be no longer the same society or members thereof; and in connection with this, we have to consider the right of the society in the exercise of its acknowledged constitutional powers, viz., by the action of the Yearly Meeting, the admitted highest tribunal which it possesses, to change either doctrine or discipline.

It may not ultimately be necessary to discuss its power as to doctrine, but to confine the inquiry to disciplinary alterations.

40 It may be convenient in the first place, to glance at some of the leading authorities on the subject. The *Lady Hawley's Charity* case is well known, and the various discussions and judgments are most instructive. *Attorney-General v. Shore* 11 Sim. 592; *Shore v. Wilson*, 9 Clk. and Fen. 350. In *Attorney-General v. Gould*, 28 Beav. 485, property was purchased and conveyed

to trustees "in trust, to and for the use and benefit of the congregation of Particular Baptists within the City of Norwich * * * and so as the messuage and premises might be always held, used, and enjoyed as a place of public worship of Almighty God, for the congregation for the time being."

The question was whether, as the information charged, persons not baptized by total immersion, were unlawfully admitted to Communion of the Lord's Supper contrary to the principles of Particular Baptists, and also that persons not Baptists were so admitted. The defence was that "The question between open and strict communion in congregations of Particular Baptists, had always been an open question." The Master of the Rolls said he had simply to
 10 determine a legal question, whether having regard to the terms of the deed founding the chapel, free communion is to be henceforth interdicted in the practice of its members, and he was bound to inquire whether the doctrine or faith of Particular Baptists excluded the practice of free communion. "In other words, I have to determine whether the employment of the building for this purpose, is such a perversion of the objects and trusts for which it was established, that is, whether it is a violation of those trusts which the Court will interfere to prevent." He then considers whether the fundamental principles of the faith of Particular Baptists are so declared.

After an examination of the authorities, and the very heated controversies for nearly two centuries on this point, he appears to consider it an open question. That it also appeared that
 20 in all matters not fundamental, "it was part of the constitution and essence of such church or congregation of Particular Baptists, that they might regulate their practice as they thought fit. This particular congregation had from its first institution adopted the practice of strict communion until very recently. He held that this did not help the plaintiffs, "because the words of the deed say nothing about maintaining the existing practice." He adds that it is a misapprehension of the doctrine of a Court of Equity, with reference to usage and custom, that any one can be brought to the opinion that previous custom will in such case bind the congregation, and he expresses surprise that it could be maintained "that a practice not involving fundamental points incapable of alteration, if the majority of endowment, can have become so fixed by custom as to be of faith, and not prescribed by the deed of the congregation shall be of opinion that such alteration
 30 will be more in accordance with the faith they profess, and more acceptable to the Great Being whose ordinance they assemble to observe."

The Judgment of Chief Justice Shaw in *Earle v. Wood*, 8 Cush., 430 is very instructive on two points of the case before us; first as to variance in practice or discipline.

"It would seem to be inconsistent with the nature and principles of the Quaker system, as far as is disclosed in the case before us, to be bound down as a body, as a Christian denomination, to a precise and unbending rule in matters of speculative opinion. They profess to believe in the continued influence and presence of the Holy Spirit in the mind of each individual humbly waiting for its manifestations, to aid in the discovery of Divine truth. It would seem therefore, that they must suppose it possible that new truths may be discovered, and so manifested as to require
 40 the assent of the true disciple, and thus add something to his existing faith * * * should the testimony of the Scriptures, and the influence of the Holy Spirit concur in bringing to the conviction of humble, sincere, and enquiring minds, the knowledge of further Christian truths, manifested with a brilliancy and clearness not to be mistaken, it seems perfectly consistent with the

avowed principles of the Society of Friends to adopt and sanction them, although they were not known to Pennington, Barclay, or Fox, and the respected founders of their society, and under a full belief that if the same light had been thrown on the same truths in their day, those sincere, and seeking men would have humbly and devoutly embraced them * * * If after solid and weighty consideration, humbly and conscientiously awaiting the guidance of best wisdom, the Yearly Meeting should fully unite, in the proper as well as the Quaker sense of the term, in adopting some modification of their creed or of their speculative opinions, adhering to their great principles of love and fraternal duty, it would upon their professed principles seem too much to say that they would thereby cease to be Quakers and cease to be the Society of Friends. Especially we think, this could not be asserted by meetings and individuals subordinate to them, who owe ecclesiastically allegiance to them, and to whom, so long as they remain subordinate, the decisions are final and infallible as well in matters of faith as of conduct."

This judgment is most full and instructive. It also fully discusses the question as to the legality of the meetings quarterly and yearly. Some of the New York cases seem to turn very much on the effect of their statute incorporating religious societies.

White Lick Meeting v. White Lick Meeting, 89 Indiana 136 (1883), is a very important case, involving questions on a schism in the Society of Friends strongly resembling, if not identical with some of those raised before us. It reviews most if not all of the previous decisions. It quotes largely from Chief Justice Shaw's judgment in Earle v. Wood, and declares that he has not too strongly stated the power of the Yearly Meetings in ecclesiastical affairs. The Court adds: "Every church and every principal ecclesiastical denomination, claiming to be founded on Christian principles, or composed of persons calling themselves Christians, has within itself some *quasi* legislative and supreme powers having control over matters of doctrine as well as discipline, and having some jurisdiction at least over what pertains to the faith as well as the practices of its members."

The judgment also deals with the question of the disputed regularity of the Yearly Meeting.

Watkins v. Wilcox, 66 N. Y. 654, seems to adopt the principle of the decision in Gable v. Miller, 2 Denio 492, where Gardiner, President, says: "It must be a plain and palpable abuse of trust, which will induce a Court of Equity to interfere respecting a controversy growing out of a difference in religion and sectarian trusts."

Harrison v. Hoyle, 24 Ohio Sup. Ct. 254, is very full as to the proceedings of the Yearly Meeting, and the action of the clerk in ascertaining the "solid sense" of the members. The judgment of the Sup. Ct. of U. S. (1871), in Watson v. Jones, 13 Wallace 679, very fully reviews the general law. The head notes epitomise the views of the court, After stating that the court will enquire into the religious faith or practice of the persons claiming the use or control of property devoted, by the express terms of the gift, grant, or sale, to the support of any specific religious doctrine or belief—

Or—"If the property was acquired in the ordinary way of purchase or gift for the use of a religious society, the court will enquire who constitute that society or its legitimate successors, and award to them the use of the property—

And—"In the class of cases in which property has been acquired in the same way, by a society which constitutes a subordinate part of a general religious organization, with established tribunals for ecclesiastical government, these tribunals must decide all questions of faith, discip-

line, rule, custom, or ecclesiastical government * * * and the civil courts will accept their decision as conclusive."

Reference may be made to the celebrated "Essays and Reviews" cases, *Williams v. Bishop of Salisbury* and *Wilson v. Fendall*, 2 Moo. P. C. (N. S.), 375 and the judgment of the Chancellor as to the certainty and precision required, before convicting anyone of departure from the Articles and Formularies of the Church. The head notes summarize thus, "Matters of doctrine in which the Church has prescribed no rule, may be discussed without penal consequences, and no rule is to be ascribed to the Church which is not found expressly and distinctly stated, or which is not plainly involved in or to be collected from the written law of the Church."

10 The spirit in which alleged variations from articles and rubrics is discussed, is exemplified in the judgment of the Privy Council in *Gorham v. The Bishop of Exeter*, 14 Jur. 443, P.C. Morris—"The Gorham Case," p. 472, "We agree with Sir Wm. Scott in the opinion he expressed in *Stone's Case* 1 (Hag. Consistory Reports): 'If any article is really a subject of dubious interpretation, it would be highly improper that this court should fix on one meaning, and proscribe all those who hold a contrary opinion regarding its interpretation.'

On this branch we may refer to the very elaborate judgment of Lowry, C. J. in *McGuinnis v. Watson*, 5 Wright's Pennsylv. Reports, (1861). There is an interesting historical review of the various secessions, out of which the *Craigdallie* case arose.

I should gather from the evidence that the immediate cause of the secession of the defend-
20 ants, was the adoption by the Yearly Meeting of 1880, of the New York Discipline of 1877.

I may refer to Mrs. Varney's testimony, she being apparently the leading witness for the respondents both as to faith and practice. The Reasons against the Appeal (No. 11) contend that by adopting the new discipline, the plaintiffs ceased to answer the description of the beneficiaries under the trusts.

The defendants strive to prove that for some years before the Yearly Meeting, there had been innovations and changes in the form and conduct of the meetings at West Lake. But I cannot gather from the voluminous evidence that any formal complaint or attempt made, was to bring such matters before regular tribunals of the Society, the Monthly, Quarterly, or Yearly Meeting. On the contrary, up to and at the Yearly Meeting of 1880, all the parties acted in
30 outward conformity and attended such Meeting.

I think it proved with reasonable clearness that the revised discipline was fairly and legally passed and adopted by that Meeting.

The evidence shews that the clerk, to whom it is admitted the function belongs to ascertain the sense of the Meeting, did ascertain, as I think, in a reasonably fair manner after a full discussion, and when he declared it adopted and passed there was no dissentient voice raised. I think the defence wholly fails to invalidate that proceeding. I refer to Chief Justice Shaw's remarks (p. 454) as to the position and duties of the clerk.

Up to this time no schism had occurred. The Yearly Meeting is regularly appointed to meet the following year at Norwich. The defendants set up a Yearly Meeting of their own,
40 and meet the following year at Pickering, ignoring the Yearly Meeting at Norwich; they form a new West Lake Monthly Meeting and then comes the struggle for the possession of the Meeting House. Their justification for this course is asserted to be that the plaintiffs by the adoption

of the new discipline, and by their alleged departure from the orthodox doctrines and practices of the society have, in their own language, "ceased to answer the description of beneficiaries under the trust."

It seems clear to me on the evidence, that the defendants have seceded from the regular and legal organization of the Society, and that nothing had been done by the latter to justify the seizure of the property, or disturb the possession for nearly sixty years held by the regular Monthly Meeting.

Although my judgment does not turn on the point, I cannot help thinking that the proper course for the new organization to have taken to test their rights, would have been a proceeding
10 by information or other method to obtain the judgment of the Courts to establish their claim, and to oust the plaintiffs for their alleged lapses from the true doctrines.

I am of opinion that it was competent for the society to alter its discipline and forms, and its highest constitutional authority the Yearly Meeting can lawfully make such alterations and that dissentients from such a change cannot be heard to insist that the right to the enjoyment of property is thereby forfeited. As already stated, the founders could, if they so pleased, have made a specified form of doctrine or formula of worship of the essence of the trust. Nothing of the kind has occurred here. If we accede to the respondent's contention, the Society of Friends holding property on the general trusts here expressed, would be in a most helpless state under a cast iron rule forbidding all variation or change.

20 It is not necessary for this decision to decide the case suggested in *Earle v. Wood*, 8 Cush. 480 of a departure from fundamental principles. I believe there has been no such departure.

I am unable to follow the judgment appealed from, in holding in effect that there can be no material change or departure from the mere manner of conducting a meeting for worship in 1821. The authorities which I have cited, seem to me to answer this objection.

The case at the Rolls of Attorney-General *v. Gould* 28 Beav. 485 is clear that a uniform practice or custom for 120 years, cannot prevent a Society from adopting a change in a matter not of fundamental importance.

The learned judge below contrasts the two Disciplines. The later one omits the provisions of the older as to "Days and Times," in names of days and months, plainness of dress, address,
30 etc. The latter abbreviates the larger terms of the older order by a general exhortation against extravagance in dress, and omits the directions as to "address." It has been often pointed out that the "peculiar dress" was simply the ordinary garb and dress of the period, without extravagance of ornament or fashionable additions.

It also omits certain words as to waiting for the divine influence at their meetings. This my learned brother thought had the effect of changing the order of the Society. It also omitted a direction as to marriage. It also, as he thinks, introduced the principle of carrying measures by a majority.

It also omits the provision against a hireling ministry, or payment for teaching the Gospel. The only point on which it is said that it varies in point of doctrine is as to the resurrection—
40 that the later discipline adds the words ~~that~~ the punishment of the wicked and the blessedness of the righteous shall be alike everlasting. This is considered as committing the body to a positive declaration in a matter of much controversy.

I find in a book called *William's Dictionary of all Religions*, 119, a quotation from Penn and

from Sewel's History, (1722), stating the doctrine thus, "They that had done well to the resurrection of eternal life; they that have done evil to everlasting condemnation."

The other matters of difference, in my judgment, come clearly within the jurisdiction of the Yearly Meeting.

Much stress was laid upon the apparent change in the Meetings, in not remaining silent for some time till the Spirit suggests an utterance. All parties seem to agree that whatever is done is or ought to be done under the sacred guidance. It seems impossible for us to decide at what moment the utterance should take place, or that a silent interval of some duration must occur. Such a rule may involve in some cases, a resisting of the sacred influence by the delay when the impulse is for immediate action.

It is as painful as it is unusual to be obliged so to speak judicially on such a subject.

It is only necessary to read some of the particulars furnished by the defendants of alleged aberrations on the plaintiffs' part. "That conversion is instantaneous, and such instantaneous fact includes justification. That the new birth is a fact and not a process. That the Scriptures being the Word of God, are equal to and one with the Spirit of God, etc., etc.

I frankly confess that many of them involve metaphysical distinctions and subtleties, which are beyond my mental powers to distinguish, much less to determine.

Some of them have engaged the minds of men from the early days of Christianity downwards, and it may be said perhaps without presumption that these attempts to crystalize, as it were, some of the most profound mysteries of our common faith into dogmatic propositions of verbal exactness and obligation, have wrought more evil, and caused more disquiet and dissension amongst Christian communities, than almost all other causes or subjects of dispute.

There must be some liberty allowed to the individual mind, and also some allowance for the difference in the perceptive faculties of minds, in the interpretation placed on words sometimes of rather ambiguous import. As far as I am capable of judging, I see nothing in the evidence before us, to warrant the conclusion that any substantial or fundamental variance, has been proved against the plaintiffs, from the leading doctrines and principles of the Society of Friends. As to the asserted changes in the forms of their Meetings for worship, which have evidently much influenced the judgment of the Court below, I can see nothing in them even if proved far more distinctly than I consider them proved—which any religious society might not make without the interference of the Civil Courts with their property. I think any person familiar with the appearance of a church congregation, either Episcopalian or Presbyterian, 40 or 50 years ago, might possibly see in the present day far more remarkable variances than those in the case before us, and that too in churches having definite creeds and prescribed forms of worship. It seems beyond question, that within the last twenty or thirty years the Society has in some degrees relaxed much of their special discipline.

Their own constitution seems to afford ample means, by the final authority of the Yearly Meetings, to adjust and regulate such matters.

As far as I can ascertain, this Society especially aims to regulate and settle its internal disputes without recourse to outside tribunals. We may refer to the Discipline of 1859, under the head of "Differences and Arbitrations," as to the Society's directions in such matters.

The defendant's course in seizing the property in possession of the plaintiffs, without first obtaining the judgment of the Courts of their own body, seems hardly in accordance with the

discipline. It is true that the legal proceedings are taken by the plaintiffs, but no other course seemed open to them, as they could not expect their opponents to accept the decision of the Yearly Meeting, whose existence they wholly ignored by setting up a distinct organization.

I may refer to an article in *Annual Encyclopædia*, 1882, at p. 327, regarding proceedings of the London Yearly Meeting as to paid ministers.

Annual ditto, 1883, as to the adoption of a further revision of the Book of Christian Discipline, issued about November, 1882, by the London Yearly Meeting, the 4th edition since the close of the last century, and the changes made thereby as to music and other matters.

Appleton's Encyclopædia, 1877, p. 323; *Encyclopædia Brit.*, 1859, article, Quakers, p. 722, as to certain changes of late years.

I think, on the whole, the appeal must be allowed, and the relief prayed for by the plaintiffs be granted.

BURTON, J. A.—The learned Judge below has in his able judgment gone so fully into the facts that I do not propose making any statement further than is absolutely necessary to make my conclusions connected and intelligible.

One general plan of organization is adhered to by all Quakers as constituting one united body throughout the world, holding fraternal relations with the Yearly Meeting of England established in London more than two centuries ago.

Its organization consists of a series of bodies holding certain relations to each other and known as meetings.

I need only refer to three of these: the Monthly, Quarterly, and Yearly.

The Quarterly consists of delegates from certain Monthly Meetings, and the Yearly consists of representatives from all the Quarterly Meetings within certain territorial limits; and each subordinate meeting is required to report at stated times to its immediate superior.

The greater part of the merely disciplinary and administrative business is transacted at the Monthly Meetings, but these proceedings may be reviewed at the Quarterly Meetings, with a further appeal to the Yearly Meetings.

A new Yearly Meeting is set up by some contiguous or convenient Yearly Meeting, but only with the consent of all the Yearly Meetings with which such contiguous Yearly Meeting is in unity and fellowship; and no new Yearly Meeting is ever set up but with the consent of the Yearly Meeting within whose territorial limits the other subordinate meetings had been previously comprised.

The Yearly Meeting when once established has a final and controlling jurisdiction, as I understand it, in all matters of faith, religious duty, administration, and discipline, over all subordinate meetings within its territorial limits and is regarded as having a coordinate supreme jurisdiction with other Yearly Meetings; the whole forming the ecclesiastical system known as the Society of Friends.

Down to the year 1867, the meetings in Canada were in connection with the New York Yearly Meeting, but in that year, with the assent of that body, the Canada Yearly Meeting was set up with the same discipline as was formerly in use in the New York Yearly Meeting, and the West Lake Monthly Meeting has been ever since in connection with and subordinate to the Canada Yearly Meeting.

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